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ABSTRACT

This is the fifth Annual Report resulting from North Carolina's 1993 Safe Schools Act, a legislative initiative that requires schools to report to the State Board specified acts of disruption, crime, or violence. To generate the report, data were collected from all regular public schools in North Carolina via their central offices. The report forms were verified for completion and accuracy and the verified data were submitted for entry and analysis. The findings show that statewide incidents decreased by 7.35 percent for 1997-98, compared to the previous year. For the 13 reported categories of problems, only "possession of a weapon" did not exhibit a decrease compared to the 1996-97 report. The vast majority of schools reported no-to-few incidents: 40.5 percent reported zero incidents, 37.2 percent reported 1 to 5 incidents, and 22.3 percent reported more than 5 incidents. The three highest incidence acts tracked from the beginning of annual reporting--possession of controlled substances and weapons, and assault on school personnel--continue to be the highest incidence acts in this report, with these three problems accounting for 86 percent of all reportable acts in North Carolina public schools. Assaults on school personnel substantially decreased for elementary schools, and sexual assaults and sexual offenses and robbery decreased for both elementary and high schools. (RJM)

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ED 429 342

ANNUAL REPORT ON SCHOOL VIOLENCE

1997-98

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Public Schools of North Carolina
State Board of Education • Department of Public Instruction

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INTRODUCTION

The safety and orderliness of schools is becoming an increasingly important facet of schools striving for excellence. It is regarded by most as a necessary condition for maximum academic achievement. It is a growing priority of numerous stakeholders in public education--government agencies, school officials, teachers, parents and students. Finally, it is clearly a legislative priority in NC, as safe schools legislation is quickly being modeled after the overarching ABCs of public education.

Safe schools legislation is modeled after the ABCs legislation on all major fronts--i.e. it is based in standards; it fosters assistance to local systems to attain the standards; and it holds local systems to accountability to the standards, accompanied by rewards for attaining them.

Safe Schools Standards
These standards are the basis for a school's accountability for safety and orderliness. At a state level, they are reflected in (a) the legislated components of LEA and school safe school plans, (b) DPI's Standards for Safe Schools (see Appendix), and (c) the legislature's and State Board's reward/recognition provisions for school administrators and schools who achieve quality safe schools results. At a local level, standards are reflected in the goals and objectives of safe schools plans.

Assistance for Safer Schools
The General Assembly has stipulated and provided a host of assistance for local systems in the pursuit of making schools safer and more orderly. State-level resources include (a) DPI's Instructional Support/Safe & Drug-Free Schools team and new NC Safe Schools Teams, (b) the Center for the Prevention of School Violence, and (c) the University system.

Accountability for Safer Schools
Accountability is dependent on effective outcome measures, and the foremost index of the safety of NC public schools is the Annual Report on School Violence. The goal of the SBE/DPI is to establish this report on a par with the academic test results of the ABCs program. This will require work on a number of fronts that includes (a) continued efforts by local schools to take this report seriously and strive for increasing reliability of reporting; (b) further disaggregation and improved analysis of the data of the report; and (c) establishing links between efforts to reduce disruption, crime and violence and subsequent incidence of reportable acts, as well as between measured safety and academic performance.

We salute local educators who strive to make their schools safer through dedicated planning, targeted safe schools strategies, and serious record-keeping. Your efforts are making a difference and serve as the backbone for continued statewide improvements.

DPI Safe & Drug-Free Schools Team

Annual Report on School Violence: 1997-98
Executive Summary

Background

This is the fifth Annual Report resulting from the 1993 Safe Schools Act, which requires that schools annually report to the State Board specified acts of disruption, crime or violence. The Report constitutes the foremost, official statewide measure of safe and orderly schools.

Producing the Report

The process for generating this report is basically the same since 1995: (1) Collect the required data from individual schools via their central office by June 30, (2) verify report forms for completion and accuracy, (3) submit the verified data to TOPS for entry and analysis, and (4) assemble the findings into the published Annual Report. The greatest challenges lie in tracking down data that is late, and engaging in sometimes numerous exchanges with central office and school officials to insure that their reports are complete and accurate.

The sample for this report is all regular public schools in NC (2035 for this report). This does not include most hospital-based schools, some alternative schools, or any charter or DHHS residential schools.

Major changes in the reporting forms for 1997-98 are:

- Differentiating the "Possession of Firearms" incident into 4 types of firearms, to satisfy federal reporting requirements
- Differentiating student offenders into regular and exceptional students
- Deleting the "number of arrests" from reported legal consequences
- Requesting that strategies being used to combat crime and violence be reported in an

The data continues to be analyzed according to the major variables of types of acts, offenders, victims and consequences; as disaggregated by school-level, size of school, and now, subcategories of students.

Major Findings

After three years of gradually increasing incidence of many specified acts, the 1996-97 report marked at least a stabilization, if not an emerging decrease in reported acts. This report continues and confirms this suspected trend: Overall statewide incidents have **decreased by 7.35 percent** for 1997-98. For 13 reported acts, only "possession of a weapon" did not exhibit a decrease compared to 1996-97, and it increased by only 1.2 percent. The vast majority of schools continue to report no to few incidents: 40.5 percent reported zero incidents, 37.2 percent reported 1 to 5 incidents, and 22.3 percent reported more than 5 incidents.

The three clearly highest incidence acts from the beginning of annual reporting -- possession of controlled substances and weapons, and assault on school personnel -- continue to be the highest incidence acts in this report. These three acts account for 86 percent of all reportable acts in North Carolina public schools for 1997-98.

Compared to 1996-97, assaults on school personnel are substantially decreased for elementary schools. Sexual assaults and sexual offenses, and robbery are decreased for both elementary and high schools. Sexual offenses, robbery and assaults with weapons are decreased for middle schools. Overall, schools of mixed grade-levels that are not conventional elementary, middle or high schools account for the largest share of the 7.35 percent reduction in reportable incidents.

Major Findings (cont.)
Despite legislation that requires school officials to report the specified acts of this report to local law enforcement, there has always been a shortfall in all such acts also being reported to law enforcement. However, this report represents a 15.5 percent increase in required reporting to law enforcement, which now ranges from 78 to 99 percent for the nine highest incidence acts.

Dealing with reportable offenses through expulsion and 1-year suspensions is markedly reduced compared to 1996-97, while simultaneously, the mandated 365-day suspension for firearm possession is markedly increased.

For the first time, data was collected on student offenders who are classified as exceptional children. Of the nine highest incidence acts, exceptional children offenders account for a disproportionate share of: Assault on school personnel (51 percent), sexual offense and sexual assault (32 and 30 percent), assault with a weapon and assault resulting in serious personal injury (34 and 25 percent), and robbery (25 percent). These disproportionate numbers of acts committed by exceptional children tend to occur mostly in middle schools.

Other trends of concern include: "possession" crimes related to weapons, controlled substances and firearms have increased in elementary schools compared to last year, as well as in high schools. Fortunately, the statewide numbers of elementary school incidents involving possession of firearms (11) and controlled substances (31) are relatively small.

Pure middle schools (i.e. grades 6-8) represent the largest contrast to the overall trend of decreased reportable incidents. Compared to 1996-97, these schools exhibit increased incidence of possession of weapons and firearms, assaults on school personnel, sexual assaults, and assaults resulting in serious personal injury. Moreover, reportable incidents are 50 percent more likely to occur in middle schools that house 1000 or more students.

Implications for the Future
Continued improvements must be made in the process of collecting, verifying and analyzing the data of this report in a timely way. This will entail enforcing law and policy related to deadlines for LEA submission of data, striving to transform the data collection process into more computerized/electronic modalities, and devoting sufficient personnel to attending to all of the quality-control steps that insure an accurate report.

Further investigation of apparently disproportionate involvement of any level of schools (e.g. middle schools) or group of students (e.g. exceptional children) in reportable school crime and violence is warranted. The expanded Incident Record being used by schools this year will yield further disaggregations of offenses, offenders, and victims, which can serve to guide more targeted interventions and actions by school officials.

TABLE 1.
REPORTED NUMBER OF INCIDENTS/ACTS AT SCHOOL LEVELS, AND OFFENDERS AND VICTIMS ASSOCIATED WITH EACH

SPECIFIED ACTS	TOTAL NO. OF OCCURRENCES	TOTAL NO. OF OCCURRENCES SCHOOL LEVEL						NO. OF OFFENDERS		NO. OF VICTIMS	
		PK-5	ELEM/MID*	G6-8	MID/HIGH**	G9-12	OTHER	REGULAR STUDENTS	EXCEPTIONAL STUDENTS	STUDENTS	STAFF
Possession of a Weapon	2723	646	232	780	112	930	23	2147	594	0	0
Possession of Substance	2620	31	73	533	139	1805	39	2316	416	0	0
Assault on School Personnel	1161	348	82	360	72	254	45	550	574	0	1094
Assault/Serious Injury	288	17	11	126	17	113	4	242	81	262	17
Sexual Assault	201	13	13	135	4	34	2	147	62	220	1
Possession of Firearm	160	11	5	41	4	93	6	130	34	0	0
Robbery	143	5	18	43	7	70	0	120	42	90	28
Assault with Weapon	126	35	5	40	11	50	5	89	45	137	16
Sexual Offense	92	8	5	30	4	40	5	62	29	74	1
Indecent Liberties	15	1	0	2	1	11	0	4	7	23	0
Kidnapping	6	2	0	2	1	1	0	4	0	12	0
Rape	4	0	0	2	0	2	0	3	3	4	0
Robbery with Weapon	4	1	0	1	0	2	0	2	0	1	3
TOTALS	7543	1098	444	2095	372	3405	129	5816	1887	823	1160

*A combination elementary/middle school must include some or all of the grade levels defined as elementary (PK-5) and middle (6-8).
**A combination middle/high school must include some or all of the grade levels defined as middle (6-8) and high school (9-12).

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TABLE 1A.
REPORTED NUMBER OF OFFENDERS–*STUDENTS IN REGULAR EDUCATION* BY SCHOOL LEVEL

SPECIFIED ACTS	TOTAL NO. OF OFFENDERS–STUDENTS IN REGULAR EDUCATION	TOTAL NO. OF OFFENDERS–STUDENTS IN REGULAR EDUCATION SCHOOL LEVEL					
		PK-5	ELEM/MID*	G6-8	MID/HIGH**	G9-12	OTHER
Possession of Substance	2316	26	78	477	120	1589	26
Possession of a Weapon	2147	542	189	573	86	748	9
Assault on School Personnel	550	132	31	170	24	191	2
Assault/Serious Injury	242	10	8	92	15	116	1
Sexual Assault	147	12	8	98	2	26	1
Possession of Firearm	130	5	4	36	2	77	6
Robbery	120	2	11	38	6	63	0
Assault with Weapon	89	9	2	26	5	47	0
Sexual Offense	62	6	4	27	2	23	0
Indecent Liberties	4	0	0	0	0	4	0
Kidnapping	4	0	0	3	0	1	0
Rape	3	0	0	2	0	1	0
Robbery with Weapon	2	0	0	0	0	2	0
TOTALS	5816	744	335	1542	262	2888	45

*A combination elementary/middle school must include some or all of the grade levels defined as elementary (PK-5) and middle (6-8).
**A combination middle/high school must include some or all of the grade levels defined as middle (6-8) and high school (9-12).

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TABLE 1B.
REPORTED NUMBER OF OFFENDERS–*EXCEPTIONAL STUDENTS* BY SCHOOL LEVEL

SPECIFIED ACTS	TOTAL NO. OF OFFENDERS–EXCEPTIONAL STUDENTS	TOTAL NO. OF OFFENDERS–EXCEPTIONAL STUDENTS SCHOOL LEVEL					
		PK-5	ELEM/MID*	G6-8	MID/HIGH**	G9-12	OTHER
Possession of a Weapon	594	111	54	223	29	163	14
Assault on School Personnel	574	173	46	192	48	75	40
Possession of Substance	416	9	24	99	29	242	13
Assault/Serious Injury	81	8	3	42	2	23	3
Sexual Assault	62	3	5	40	2	11	1
Assault with Weapon	45	6	3	16	6	8	6
Robbery	42	2	5	10	1	24	0
Possession of Firearm	34	4	1	12	2	15	0
Sexual Offense	29	0	0	5	2	17	5
Indecent Liberties	7	0	0	0	0	7	0
Rape	3	0	0	2	0	1	0
TOTALS	1887	316	141	641	121	586	82

*A combination elementary/middle school must include some or all of the grade levels defined as elementary (PK-5) and middle (6-8).
**A combination middle/high school must include some or all of the grade levels defined as middle (6-8) and high school (9-12).

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TABLE 1C.
REPORTED NUMBER OF OFFENDERS–*STAFF* BY SCHOOL LEVEL

SPECIFIED ACTS	TOTAL NO. OF OFFENDERS–STAFF	TOTAL NO. OF OFFENDERS–STAFF SCHOOL LEVEL					
		PK-5	ELEM/MID*	G6-8	MID/HIGH**	G9-12	OTHER
Assault on School Personnel	8	0	2	6	0	0	0
Assault/Serious Injury	4	0	0	3	0	1	0
Sexual Offense	3	0	1	0	0	2	0
Indecent Liberties	2	0	0	2	0	0	0
TOTALS	17	0	3	11	0	3	0

*A combination elementary/middle school must include some or all of the grade levels defined as elementary (PK-5) and middle (6-8).
**A combination middle/high school must include some or all of the grade levels defined as middle (6-8) and high school (9-12).

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TABLE 1D.
REPORTED NUMBER OF OFFENDERS–*OTHER* BY SCHOOL LEVEL

SPECIFIED ACTS	TOTAL NO. OF OFFENDERS–OTHER	TOTAL NO. OF OFFENDERS–OTHER SCHOOL LEVEL					
		PK-5	ELEM/MID*	G6-8	MID/HIGH**	G9-12	OTHER
Assault on School Personnel	36	10	2	11	0	13	0
Possession of a Weapon	36	1	0	2	0	33	0
Possession of Substance	36	0	0	1	0	35	0
Possession of Firearm	20	4	0	3	0	11	2
Assault/Serious Injury	16	1	0	5	1	9	0
Assault with Weapon	7	1	0	2	0	4	0
Kidnapping	4	2	0	1	1	0	0
Robbery	4	1	1	0	0	2	0
Sexual Assault	3	0	0	2	0	1	0
Sexual Offense	3	0	0	2	0	0	1
Indecent Liberties	2	1	0	0	0	1	0
Robbery with Weapon	2	1	0	1	0	0	0
TOTALS	169	22	3	30	2	109	3

*A combination elementary/middle school must include some or all of the grade levels defined as elementary (PK-5) and middle (6-8).
**A combination middle/high school must include some or all of the grade levels defined as middle (6-8) and high school (9-12).

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TABLE 1E.
REPORTED NUMBER OF VICTIMS–*STUDENTS* BY SCHOOL LEVEL

SPECIFIED ACTS	TOTAL NO. OF VICTIMS–STUDENTS	TOTAL NO. OF VICTIMS–STUDENTS SCHOOL LEVEL					
		PK-5	ELEM/MID*	G6-8	MID/HIGH**	G9-12	OTHER
Assault/Serious Injury	262	10	11	123	16	99	3
Sexual Assault	220	17	16	147	2	36	2
Assault with Weapon	137	25	4	50	6	49	3
Robbery	90	2	5	37	2	44	0
Sexual Offense	74	6	4	33	2	29	0
Indecent Liberties	23	1	0	8	2	12	0
Kidnapping	12	7	0	2	2	1	0
Rape	4	0	0	2	0	2	0
Robbery with Weapon	1	0	0	0	0	1	0
TOTALS	823	68	40	402	32	273	8

*A combination elementary/middle school must include some or all of the grade levels defined as elementary (PK-5) and middle (6-8).
**A combination middle/high school must include some or all of the grade levels defined as middle (6-8) and high school (9-12).

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TABLE 1F.
REPORTED NUMBER OF VICTIMS--*STAFF* BY SCHOOL LEVEL

SPECIFIED ACTS	TOTAL NO. OF VICTIMS--STAFF	TOTAL NO. OF VICTIMS--STAFF SCHOOL LEVEL					
		PK-5	ELEM/MID*	G6-8	MID/HIGH**	G9-12	OTHER
Assault on School Personnel	1094	334	85	356	63	219	37
Robbery	28	2	12	4	2	8	0
Assault/Serious Injury	17	7	0	6	1	2	1
Assault with Weapon	16	2	1	3	6	2	2
Robbery with Weapon	3	1	0	1	0	1	0
Sexual Assault	1	0	0	0	0	1	0
Sexual Offense	1	0	0	0	0	1	0
TOTALS	1160	346	98	370	72	234	40

*A combination elementary/middle school must include some or all of the grade levels defined as elementary (PK-5) and middle (6-8).
*A combination middle/high school must include some or all of the grade levels defined as middle (6-8) and high school (9-12).

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TABLE 1G.
REPORTED NUMBER OF VICTIMS–*OTHER* BY SCHOOL LEVEL

SPECIFIED ACTS	TOTAL NO. OF VICTIMS–OTHER	TOTAL NO. OF VICTIMS–OTHER SCHOOL LEVEL					
		PK-5	ELEM/MID*	G6-8	MID/HIGH**	G9-12	OTHER
Assault on School Personnel	14	5	1	1	1	6	0
Robbery	10	0	2	1	2	5	0
Assault with Weapon	1	1	0	0	0	0	0
Assault/Serious Injury	1	0	0	1	0	0	0
Sexual Assault	1	0	0	0	0	0	1
TOTALS	27	6	3	3	3	11	1

*A combination elementary/middle school must include some or all of the grade levels defined as elementary (PK-5) and middle (6-8).
*A combination middle/high school must include some or all of the grade levels defined as middle (6-8) and high school (9-12).

TABLE 2.
REPORTED SCHOOL AND LEGAL CONSEQUENCES PER INCIDENT/ACT

SPECIFIED ACTS	TOTAL NO. OF OFFENDERS			CONSEQUENCES* SCHOOL							LEGAL
				IN SCHOOL SUSPENSION	OUT-OF-SCHOOL SUSPENSION			EXPULSION	ALTERNATIVE EDUCATION OR TREATMENT	OTHER	NO. REPORTED TO LAW ENFORCEMENT
					10 DAYS OR LESS	>10 DAYS <1 YEAR	1 YEAR				
	REGULAR STUDENTS	EXCEPTIONAL STUDENTS	STAFF AND OTHER	NO. OF CASES	NO. OF CASES	NO. OF CASES	NO. OF CASES	NO. OF CASES	NO. OF CASES	NO. OF CASES	NO. OF CASES
Possession of Substance	2316	416	36	36	1928	526	15	45	399	54	2671
Possession of a Weapon	2147	594	36	93	1991	433	28	25	283	103	2485
Assault on School Personnel	550	574	44	30	762	187	7	29	145	50	1024
Assault/Serious Injury	242	81	20	8	230	53	2	10	27	11	297
Sexual Assault	147	62	3	19	159	17	0	1	22	14	181
Possession of Firearm	130	34	20	3	47	17	81	25	24	6	180
Robbery	120	42	4	10	99	29	1	4	14	14	165
Assault with Weapon	89	45	7	0	85	30	7	4	18	10	132
Sexual Offense	62	29	6	3	54	14	1	4	23	5	76
Indecent Liberties	4	7	4	0	6	4	0	0	1	4	11
Kidnapping	4	0	4	0	1	3	0	0	0	4	8
Rape	3	3	0	0	4	0	0	0	5	0	6
Robbery with Weapon	2	0	2	0	1	1	0	0	1	0	4
TOTALS	5816	1887	186	202	5367	1314	142	147	962	275	7240

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*The total of school-based consequences includes multiple consequences for particular student offenders.

TABLE 2A.
REPORTED SCHOOL AND LEGAL CONSEQUENCES BY SCHOOL LEVEL

SCHOOL LEVEL	TOTAL NO. OF OFFENDERS			CONSEQUENCES*							
				SCHOOL							LEGAL
				IN SCHOOL SUSPENSION	OUT-OF-SCHOOL SUSPENSION			EXPULSION	ALTERNATIVE EDUCATION OR TREATMENT	OTHER	NO. REPORTED TO LAW ENFORCEMENT
	REGULAR STUDENTS	EXCEPTIONAL STUDENTS	STAFF AND OTHER		10 DAYS OR LESS	> 10 DAYS < 1 YEAR	1 YEAR				
G9-12	2888	586	112	31	2252	743	88	102	502	78	3441
G6-8	1542	641	41	62	1533	397	35	27	333	74	2037
PK-5	744	316	22	54	907	37	3	1	26	92	874
ELEM/MID	335	141	6	38	337	33	2	3	41	20	407
MID/HIGH	262	121	2	14	259	74	12	10	31	11	363
OTHER	45	82	3	3	79	30	2	4	29	0	118
TOTALS	5816	1887	186	202	5367	1314	142	147	962	275	7240

*The total of school-based consequences includes multiple consequences for particular student offenders.

TABLE 3.
TOTAL NUMBER OF INCIDENTS/ACTS FOR EACH LEA

LEA	INCIDENTS/ACTS																TOTAL NO. OF OCCURENCES OF ALL ACTS COMMITTED	TOTAL OCCURENCES OF ALL ACTS COMMITTED PER 1000 STUDENTS**
	AP*	AR	AW	K	PHG	PR	PSG	POF	PS	PW	R	RO	RW	SA	SO	IM		
Alamance	9	10	1	0	2	0	0	0	58	48	0	1	0	4	2	0	135	7.118
Alexander	9	1	0	0	0	0	0	0	11	7	0	2	0	4	0	0	34	6.598
Alleghany	0	0	0	0	0	0	0	0	1	2	0	0	0	0	0	0	3	2.085
Anson	1	0	0	0	1	0	0	0	7	14	0	0	0	0	0	0	23	5.285
Ashe	1	0	0	0	0	0	0	0	16	9	0	0	0	0	0	0	26	8.012
Avery	1	0	2	0	0	0	0	0	12	4	0	0	0	0	0	0	19	7.884
Beaufort	9	1	2	0	0	0	0	1	22	10	0	2	0	1	2	0	50	6.883
Bertie	0	0	0	0	1	0	0	0	4	8	0	0	0	0	0	0	13	3.462
Bladen	1	1	1	0	0	0	0	0	3	15	0	0	0	1	0	1	23	4.146
Brunswick	9	2	0	0	0	0	1	0	55	23	0	0	0	1	7	0	98	10.438
Buncombe	5	7	3	0	2	0	0	0	46	28	0	0	0	3	0	0	94	3.919
Asheville	10	0	0	0	0	0	0	0	11	29	1	0	0	0	0	0	51	12.358
Burke	4	3	2	0	1	0	0	0	39	32	0	0	0	19	6	0	106	7.762
Cabarrus	12	4	0	0	0	0	0	0	41	24	0	0	0	1	5	9	96	5.697
Kannapolis	4	0	0	0	0	0	0	0	14	14	0	0	0	0	0	0	32	8.448
Caldwell	7	1	0	0	0	0	0	2	70	49	0	0	0	3	0	0	132	11.248
Camden	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	2	1.672
Carteret	10	3	0	0	0	0	0	1	39	21	0	2	0	0	0	0	76	9.211
Caswell	2	0	0	0	0	0	0	0	8	10	0	0	0	0	2	1	23	6.626
Catawba	7	6	0	0	0	1	1	0	40	38	0	2	0	0	1	0	96	6.532
Hickory	18	1	1	0	0	0	0	0	5	13	0	0	0	1	0	0	39	9.250

*See key at end of table.

LEA	INCIDENTS/ACTS																TOTAL NO. OF OCCURENCES OF ALL ACTS COMMITTED	TOTAL OCCURENCES OF ALL ACTS COMMITTED PER 1000 STUDENTS**
	AP*	AR	AW	K	PHG	PR	PSG	POF	PS	PW	R	RO	RW	SA	SO	IM		
Newton-Conover	5	1	0	0	1	0	0	0	0	4	0	1	0	1	3	0	16	5.959
Chatham	1	2	1	0	0	0	0	0	16	12	0	0	0	2	3	0	37	5.582
Cherokee	0	0	1	0	0	0	0	0	7	4	0	0	0	0	0	0	12	3.524
Chowan	0	0	1	0	0	0	0	0	2	3	0	0	0	0	0	0	6	2.372
Clay	0	0	0	0	0	0	0	0	1	2	0	0	0	0	0	0	3	2.392
Cleveland	8	0	0	0	3	0	0	0	16	26	0	0	0	0	0	0	53	6.021
Kings Mountain	2	0	0	0	0	0	0	0	11	5	0	0	0	5	0	0	23	5.449
Shelby	3	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	4	1.217
Columbus	9	0	1	0	1	0	0	0	9	12	0	0	0	0	0	0	32	4.421
Whiteville	1	0	0	0	0	0	0	0	2	4	0	0	0	0	0	0	7	2.533
Craven	4	2	2	0	1	0	0	0	27	47	0	0	0	0	0	0	83	5.795
Cumberland	76	7	14	0	2	0	0	0	62	141	0	3	0	5	0	0	310	6.330
Currituck	0	0	0	0	0	0	0	0	9	5	0	0	0	0	0	0	14	4.773
Dare	1	1	0	0	0	0	0	0	2	15	0	0	0	0	2	0	21	4.793
Davidson	14	2	0	0	2	0	0	0	56	31	0	5	0	4	0	1	115	6.437
Lexington	5	0	0	0	0	0	0	0	4	17	0	0	0	1	0	0	27	8.961
Thomasville	1	0	0	0	0	0	0	0	3	3	0	0	0	0	0	0	7	3.135
Davie	5	1	1	0	0	0	0	0	10	12	0	1	0	0	0	0	30	5.815
Duplin	3	0	1	0	1	0	0	0	12	39	0	6	0	0	1	0	63	7.645
Durham	43	30	2	1	5	2	0	0	62	69	0	9	0	0	0	0	223	7.887
Edgecombe	12	0	1	0	0	0	0	0	11	21	0	0	0	1	1	0	47	6.227
Forsyth	50	10	4	0	3	0	0	4	76	71	0	2	1	11	6	0	238	5.799
Franklin	10	1	2	0	0	0	0	0	10	25	0	0	0	0	0	0	48	6.980

*See key at end of table.

LEA	INCIDENTS/ACTS																TOTAL NO. OF OCCURENCES OF ALL ACTS COMMITTED	TOTAL OCCURENCES OF ALL ACTS COMMITTED PER 1000 STUDENTS**
	AP*	AR	AW	K	PHG	PR	PSG	POF	PS	PW	R	RO	RW	SA	SO	IM		
Gaston	23	8	1	0	4	0	0	0	69	34	0	0	0	2	0	0	141	4.903
Gates	2	0	0	0	0	0	0	0	5	5	0	0	0	0	0	0	12	6.144
Graham	0	0	0	0	0	0	0	0	8	0	0	0	0	0	0	0	8	6.843
Granville	4	0	1	0	0	0	0	0	12	16	0	0	0	3	2	0	38	5.083
Greene	12	4	0	0	1	0	0	0	9	14	0	0	0	1	1	0	42	14.758
Guilford	111	1	11	0	9	0	2	0	96	186	0	6	1	17	0	0	440	7.511
Halifax	3	1	0	0	0	0	0	0	18	19	0	0	0	0	0	0	41	6.686
Roanoke Rapids	0	0	0	0	0	0	0	0	9	12	0	1	0	0	0	0	22	7.166
Weldon	1	0	0	0	0	0	0	0	0	2	1	0	0	0	0	0	4	3.591
Harnett	12	0	2	2	2	0	0	0	23	20	0	2	0	1	1	0	65	4.380
Haywood	2	0	1	0	1	0	0	0	25	18	0	0	0	0	0	0	47	6.396
Henderson	11	2	2	0	0	0	0	0	35	30	0	1	0	0	1	0	82	7.455
Hertford	2	6	1	0	0	0	0	0	1	13	0	1	0	0	0	0	24	5.803
Hoke	1	2	0	0	2	0	0	0	16	9	0	3	0	1	0	0	34	5.856
Hyde	2	0	0	0	0	1	0	0	2	1	0	3	0	0	1	0	10	13.123
Iredell	4	0	0	0	2	0	1	0	8	8	0	0	0	0	0	0	23	1.517
Mooresville	0	2	0	0	1	0	0	0	7	17	0	0	0	1	0	0	28	7.957
Jackson	0	0	0	0	0	0	0	0	11	9	0	0	0	0	0	0	20	5.759
Johnston	14	2	0	0	3	0	0	1	21	43	0	1	0	2	0	0	87	4.800
Jones	1	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	2	1.325
Lee	4	3	2	0	1	0	0	0	24	17	0	0	0	1	0	0	52	6.276
Lenoir	0	2	0	0	2	0	0	0	5	32	0	1	0	1	0	0	43	4.282
Lincoln	6	0	0	0	0	0	0	0	34	16	0	0	0	0	3	0	59	5.955

*See key at end of table.

LEA	INCIDENTS/ACTS																TOTAL NO. OF OCCURENCES OF ALL ACTS COMMITTED	TOTAL OCCURENCES OF ALL ACTS COMMITTED PER 1000 STUDENTS**
	AP*	AR	AW	K	PHG	PR	PSG	POF	PS	PW	R	RO	RW	SA	SO	IM		
Macon	1	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0	3	0.768
Madison	1	1	1	0	0	0	0	0	5	5	0	0	0	0	1	0	14	5.598
Martin	9	4	0	0	1	2	0	0	6	6	0	5	0	0	1	0	34	6.987
McDowell	1	0	0	0	0	0	0	0	18	6	0	0	0	0	0	0	25	4.082
Mecklenburg	183	35	12	1	19	1	2	9	239	242	1	31	1	23	17	1	817	8.776
Mitchell	0	0	0	0	0	2	1	1	2	4	0	0	0	0	0	0	10	4.301
Montgomery	0	0	0	0	1	1	0	0	10	9	0	0	0	1	0	0	22	5.178
Moore	7	3	1	0	0	0	0	0	26	9	0	0	1	1	0	0	48	4.597
Nash	0	4	1	0	0	0	0	0	22	28	0	0	0	1	0	0	56	3.276
New Hanover	22	2	4	0	2	0	0	0	81	54	0	6	0	4	2	0	177	8.454
Northampton	6	2	0	1	0	0	0	0	6	3	0	0	0	2	5	1	26	6.924
Onslow	8	8	1	0	1	0	0	0	56	55	0	5	0	0	0	0	134	6.533
Orange	8	3	1	0	0	0	0	0	16	19	0	0	0	0	0	0	47	7.911
Chapel Hill	13	7	3	0	2	0	0	0	19	20	0	10	0	5	0	0	79	9.709
Pamlico	1	1	0	0	0	0	0	0	5	2	0	0	0	0	0	0	9	5.031
Pasquotank	0	1	1	0	1	0	0	0	4	1	0	1	0	0	0	0	9	1.479
Pender	1	0	2	0	0	0	0	1	15	22	0	0	0	0	0	0	41	6.772
Perquimans	0	0	0	0	0	0	0	0	5	6	0	0	0	0	0	0	11	5.802
Person	3	0	0	0	0	0	0	0	1	5	0	0	0	0	0	0	9	1.630
Pitt	29	2	4	0	2	0	0	0	32	54	0	8	0	7	0	0	138	7.302
Polk	0	0	0	0	0	0	0	0	11	3	0	0	0	0	0	0	14	6.461
Randolph	19	0	0	0	3	1	0	0	93	37	0	0	0	3	1	0	157	10.007
Asheboro	3	3	0	0	0	0	0	0	6	25	0	0	0	0	1	0	38	9.330

*See key at end of table.

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LEA	INCIDENTS/ACTS																TOTAL NO. OF OCCURENCES OF ALL ACTS COMMITTED	TOTAL OCCURENCES OF ALL ACTS COMMITTED PER 1000 STUDENTS**
	AP*	AR	AW	K	PHG	PR	PSG	POF	PS	PW	R	RO	RW	SA	SO	IM		
Richmond	4	0	0	0	0	0	0	0	6	11	0	0	0	0	0	0	21	2.618
Robeson	21	4	2	0	6	1	1	0	89	84	0	2	0	5	5	0	220	9.614
Rockingham	10	5	0	0	0	0	0	0	19	37	0	1	0	0	0	0	72	5.158
Rowan	17	7	1	0	2	0	1	0	51	16	0	0	0	1	2	0	98	5.100
Rutherford	3	2	0	0	0	0	0	0	11	5	0	0	0	0	0	0	21	2.125
Sampson	9	4	2	0	0	0	0	0	8	17	0	3	0	1	0	0	44	6.018
Clinton	2	1	0	0	0	0	0	0	1	9	0	0	0	0	0	0	13	5.274
Scotland	3	0	0	0	0	0	0	0	14	14	0	0	0	0	0	0	31	4.555
Stanly	17	6	0	0	1	0	0	0	26	30	0	1	0	1	2	0	84	8.672
Stokes	6	1	0	0	0	0	0	0	15	10	1	0	0	1	0	0	34	4.977
Surry	5	4	1	0	0	0	0	2	15	16	0	0	0	3	1	0	47	6.031
Elkin	0	0	0	0	0	0	0	0	2	0	0	0	0	1	0	0	3	2.882
Mount Airy	0	0	0	0	0	0	0	0	7	2	0	0	0	0	0	0	9	4.668
Swain	0	0	0	0	2	1	0	1	10	4	0	0	0	0	0	0	18	11.166
Transylvania	0	1	0	1	0	0	0	0	6	13	0	0	0	0	0	0	21	5.380
Tyrrell	1	0	1	0	0	0	0	0	0	1	0	0	0	0	0	0	3	3.871
Union	24	8	4	0	3	0	0	0	36	28	0	0	0	4	0	0	107	5.498
Vance	5	3	1	0	1	0	0	0	13	20	0	0	0	0	2	0	45	6.072
Wake	111	28	15	0	4	0	0	0	162	192	0	2	0	29	1	0	544	6.178
Warren	4	2	1	0	1	0	0	0	4	15	0	0	0	3	0	0	30	9.500
Washington	0	0	0	0	0	0	0	0	1	2	0	0	0	3	0	0	6	2.344
Watauga	1	0	0	0	1	0	0	0	32	16	0	0	0	0	0	0	50	10.571
Wayne	14	1	2	0	1	0	0	3	27	21	0	4	0	3	0	0	76	4.070

*See key at end of table.

LEA	INCIDENTS/ACTS																TOTAL NO. OF OCCURENCES OF ALL ACTS COMMITTED	TOTAL OCCURENCES OF ALL ACTS COMMITTED PER 1000 STUDENTS**
	AP*	AR	AW	K	PHG	PR	PSG	POF	PS	PW	R	RO	RW	SA	SO	IM		
Wilkes	1	0	0	0	0	0	0	0	8	24	0	2	0	0	0	0	35	3.649
Wilson	1	4	0	0	2	0	0	0	17	12	0	2	0	1	1	1	41	3.641
Yadkin	0	1	0	0	0	0	0	0	8	12	0	5	0	0	0	0	26	4.758
Yancey	0	0	1	0	0	0	0	0	3	8	0	0	0	0	0	0	12	4.953
TOTALS	1161	288	126	6	111	13	10	26	2620	2723	4	143	4	201	92	15	7543	6.343

*Key:

AP- Assault on school personnel
AR- Assault resulting in serious injury
AW- Assault involving use of weapon
K- Kidnapping
PHG- Possession of a handgun
PR- Possession of a rifle
PSG- Possession of a shotgun
POF- Possession of other firearm
PS- Possession of controlled substance in violation of law
PW- Possession of a weapon
R- Rape
RO- Robbery
RW- Robbery with a dangerous weapon
SA- Sexual assault
SO- Sexual offense
IM- Taking indecent liberties with a minor

**Derived by dividing each LEA's total number of all acts committed by actual last day membership as of June, 1998, and then multiplying by 1000.

For actual last day membership, see
Public Schools of North Carolina
Department of Public Instruction, Financial and Personnel Services
Division of School Business, Statistical Research Section
Final and 9th Month Actual Membership Last day 1997-98

Figure 1. 1997-98 Annual Report on School Violence
Number of Incidents by Number of Schools

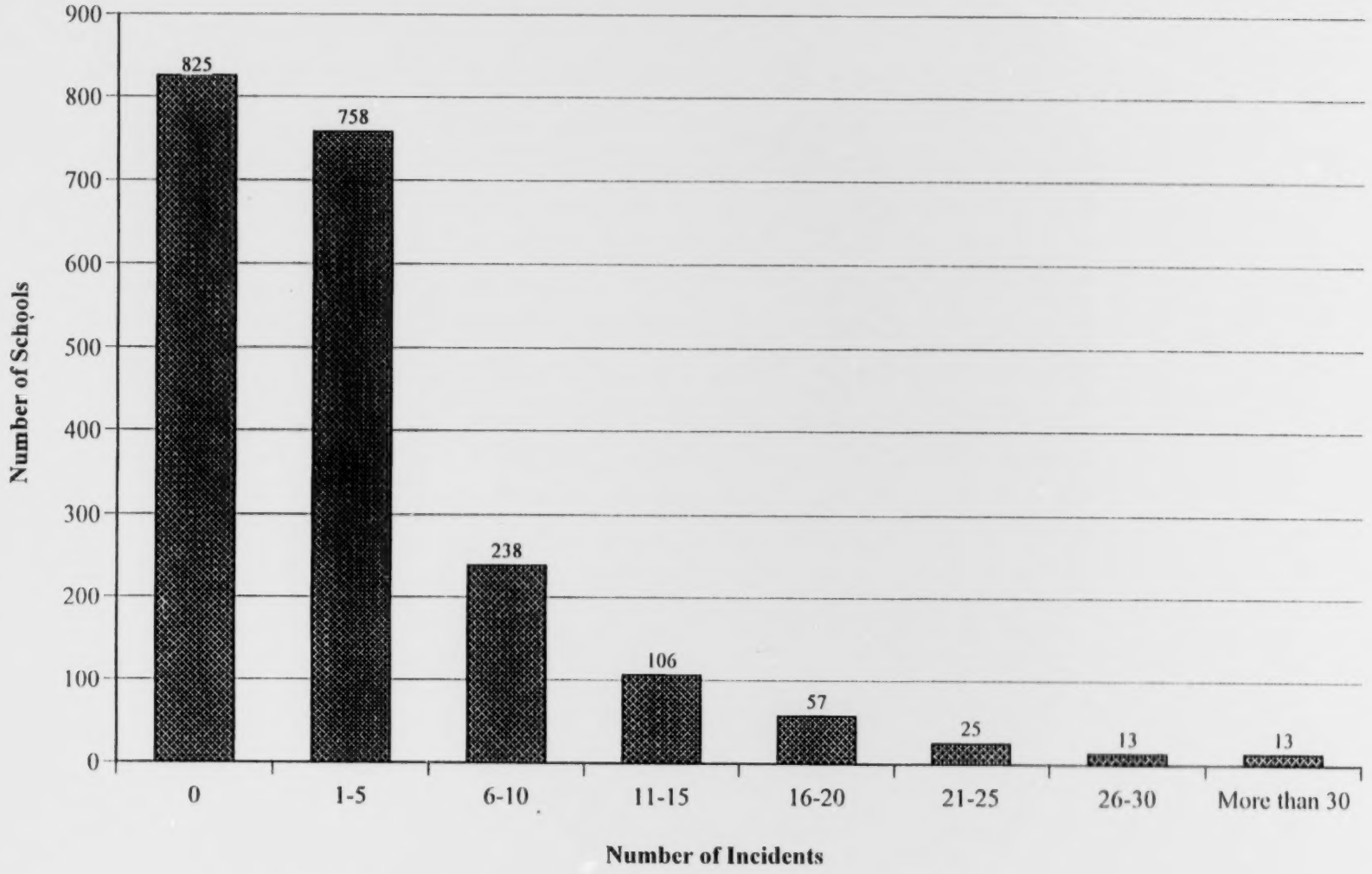

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Figure 2. 1997-98 Annual Report on School Violence
Trends in Occurrence by Type of Act

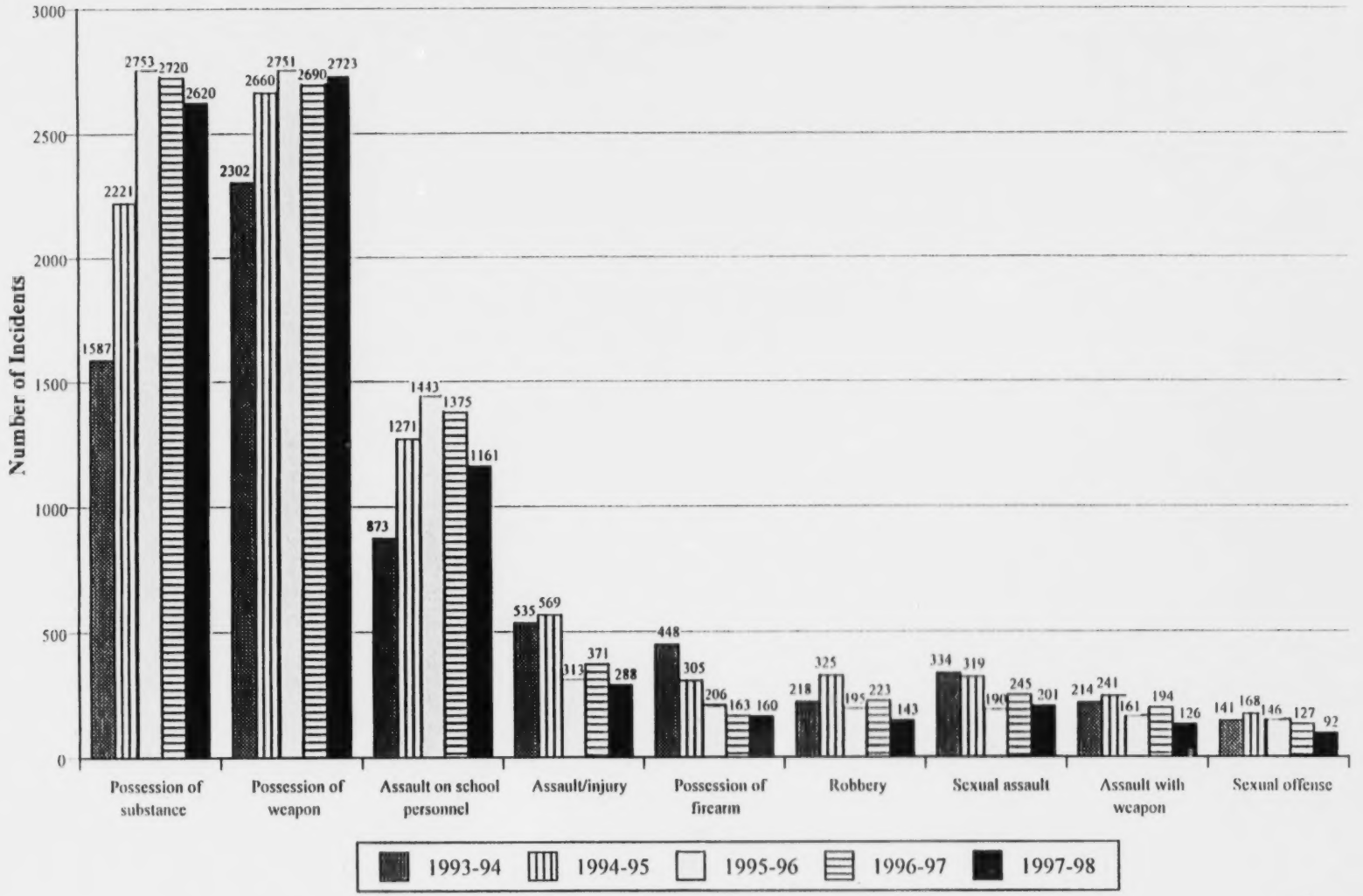
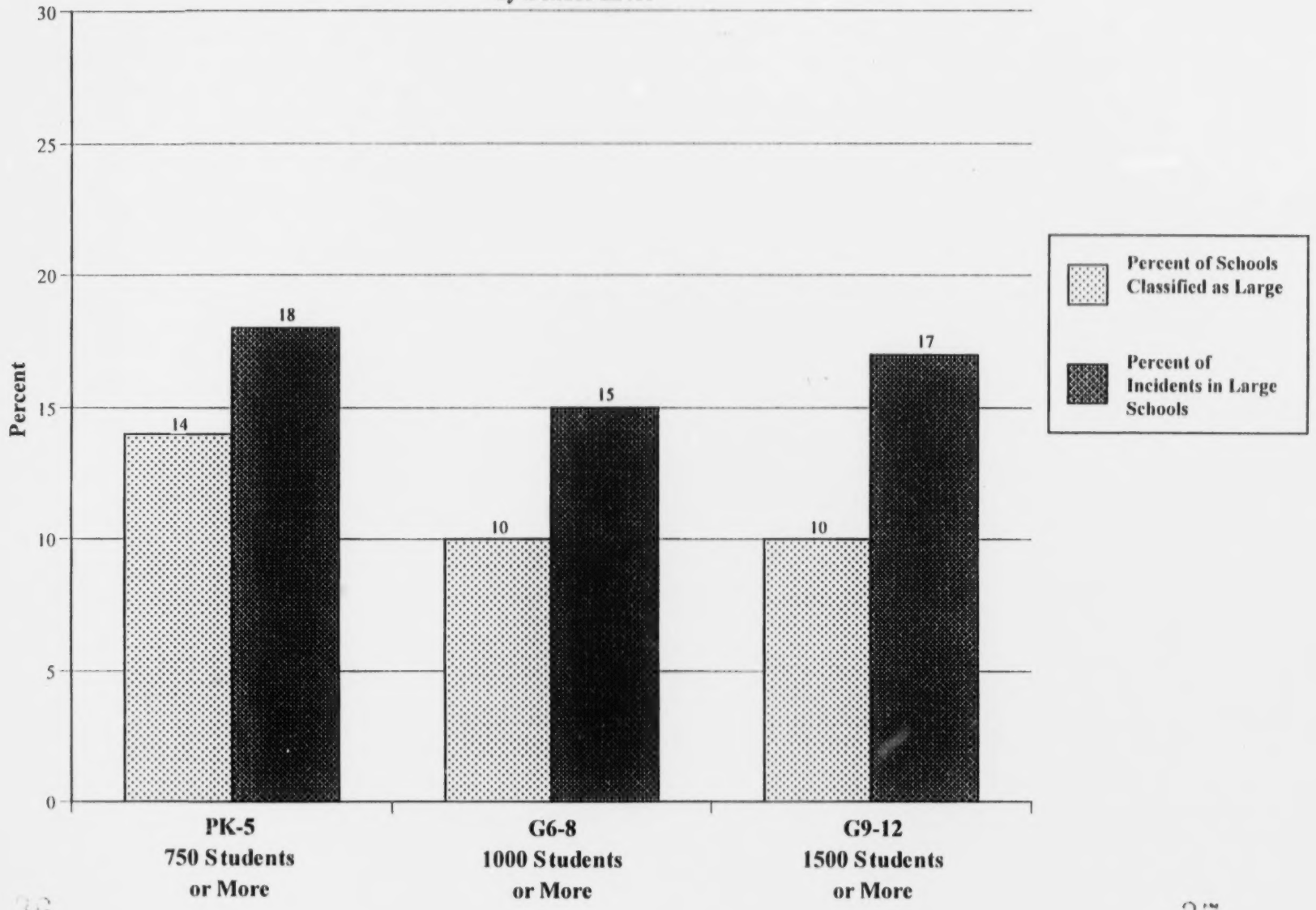


Figure 3. 1997-98 Annual Report on School Violence
Percent of Large Schools and Related Incidents
by School Level



APPENDIX

- Safe Schools Legislation
  - 1993 Safe Schools Act
  - 1997 Senate Bill 352: Safe Schools

- DPI Standards for Safe Schools

- Protocol for 1997-98 Annual Reporting
  - Instructions
  - Definitions
  - Reporting Forms

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION
RATIFIED BILL

SENATE BILL 27

SAFE SCHOOLS ACT

Sec. 139. (a) Of the funds appropriated to Aid to Local School Administrative Units, the sum of two million five hundred thousand dollars ($2,500,000) for the 1993-94 fiscal year and the sum of two million five hundred thousand dollars ($2,500,000) for the 1994-95 fiscal year shall be used to provide grants for local school administrative units for locally designed innovative local programs to make schools safe for students and school employees. These funds shall be used for grants of from fifty thousand dollars ($50,000) to one hundred thousand dollars ($100,000) per year to local school administrative units. These funds may be used for continuing or noncontinuing expenses.

A local school administrative unit may apply for a grant, or two or three adjacent local school administrative units may apply jointly for a grant. Applicants for grants shall submit to the State Board of Education an application that includes the following information:

(1) An assessment of local problems with regard to violence and harassment, including sexual and other forms of harassment, in the schools prepared by a local task force of educators, parents, students, community leaders, and representatives of social services and law enforcement, appointed by the local board of education.

(2) A detailed plan for addressing these local problems, including proposed goals and anticipated outcomes, prepared after consultation with the task force.

(3) A statement of how the grant funds would be used to address these local problems and what other resources would be used to address the problems.

(4) A process for assessing on an annual basis the success of the local plan for addressing problems with regard to violence and harassment in the schools.

The Superintendent of Public Instruction shall appoint a State task force to assist the Superintendent in reviewing grant applications. The State task force shall include representatives of the Department of Public Instruction, local school administrative units, educators, parents, the juvenile justice system, social services, and nongovernmental agencies providing services to children, and other members the Superintendent deems appropriate. In reviewing grant applications, the Superintendent and the State task force shall consider the severity of the local problems with regard to violence in the schools and the likelihood that the locally designed plan will deal with the problems successfully.

The State Board of Education shall consider the recommendations of the Superintendent in selecting grant recipients. The State Board shall also attempt to give grants to local school administrative units that are located geographically throughout the State, that have different demographic profiles, and that proposed different approaches to their problems. The State Board shall select grant recipients prior to January 1, 1994.

The Superintendent of Public Instruction shall administer the grant program and provide technical assistance to grant applicants and recipients.

The State Board of Education shall report to the Joint Legislative Education

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Oversight Committee prior to March 15, 1994, and prior to January 15, 1995, on how the funds are being used.

(b) G.S. 115C-12 is amended by adding a new subdivision to read:

"(21) Duty to Monitor Acts of School Violence. -- The State Board of Education shall monitor and compile an annual report on acts of violence in the public schools. The State Board shall adopt standard definitions for acts of school violence and shall require local boards of education to report them to the State Board in a standard format adopted by the State Board."

(c) G.S. 115C-47 is amended by adding a new subdivision to read:

"(36) To Report All Acts of School Violence. -- Local boards of education shall report all acts of school violence to the State Board of Education in accordance with G.S. 115C-12(21)."

(d) G.S. 115C-81 is amended by adding a new subsection to read:

"(a4) Conflict Resolution and Mediation Models: The State Board of Education shall develop a list of recommended conflict resolution and mediation materials, models, and curricula that address responsible decision making, the causes and effects of school violence and harassment, cultural diversity, and nonviolent methods for resolving conflict, including peer mediation and shall make the list available to local school administrative units and school buildings by the beginning of the 1994-95 school year. In developing this list, the Board shall emphasize materials, models, and curricula that currently are being used in North Carolina and that the Board determines to be effective. The Board shall include at least one model that includes instruction and guidance for the voluntary implementation of peer mediation programs and one model that provides instruction and guidance for teachers concerning the integration of conflict resolution and mediation lessons into the existing classroom curriculum."

GENERAL ASSEMBLY OF NORTH CAROLINA
1997 SESSION

S.L. 1997-443
SENATE BILL 352

AN ACT TO MAKE APPROPRIATIONS FOR CURRENT OPERATIONS AND FOR CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

The General Assembly of North Carolina enacts:

PART I. INTRODUCTION AND TITLE OF ACT

INTRODUCTION

Section 1. The appropriations made in this act are for maximum amounts necessary to provide the services and accomplish the purposes described in the budget. Savings shall be effected where the total amounts appropriated are not required to perform these services and accomplish these purposes and, except as allowed by the Executive Budget Act, or this act, the savings shall revert to the appropriate fund at the end of each fiscal year.

TITLE OF ACT

Section 1.1. This act shall be known as "The Current Operations and Capital Improvements Appropriations Act of 1997."

PART II. CURRENT OPERATIONS/GENERAL FUND

Section 2. Appropriations from the General Fund of the State for the maintenance of the State departments, institutions, and agencies, and for other purposes as enumerated are made for the biennium ending June 30, 1999, according to the following schedule:

Current Operations - General Fund	1997-98	1998-99
General Assembly	$ 31,226,277	$ 34,642,598
Judicial Department	327,814,503	327,102,308
Office of the Governor		

SAFE SCHOOLS

Section 8.29. (a)

(1) Of the funds appropriated to State Aid to Local School Administrative Units, the State Board of Education may use up to five hundred thousand dollars ($500,000) for the 1997-98 fiscal year and up to five hundred thousand dollars ($500,000) for the 1998-99 fiscal year to provide assistance teams to schools to assist those schools in restoring safety and order.

(2) Effective when this act becomes law, Part 2 of Article 8B of Chapter 115C of the General Statutes is amended by adding the following new section:

"**§ 115C-105.28. Safe and orderly schools.**

A school improvement team or a parent organization at a school may ask the local board of education to provide assistance in promoting or restoring safety and an orderly learning environment at a school. The school improvement team or parent organization shall file a copy of this request with the State Board. If the local board fails to provide adequate assistance to the school, then the school improvement team or parent organization may ask the State Board to provide an assistance team to the school.

The State Board may provide an assistance team, established under G.S. 115C-105.38, to a school in order to promote or restore safety and an orderly learning environment at that school if one of the following applies:

(1) The local board of education or superintendent requests that the State Board provide an assistance team to a school and the State Board determines that the school needs assistance.

(2) The State Board determines within 10 days after its receipt of the request for assistance from a school improvement team or parent organization of a school that the school needs assistance and that the local board has failed to provide adequate assistance to that school.

If an assistance team is assigned to a school under this section, the team shall spend a sufficient amount of time at the school to assess the problems at the school, assist school personnel with resolving those problems, and work with school personnel and others to develop a long-term plan for restoring and maintaining safety and an orderly learning environment at the school. The assistance team also shall make recommendations to the local board of education and the superintendent on actions the board and the superintendent should consider taking to resolve problems at the school. These recommendations shall be in writing and are public records. If an assistance team is assigned to a school under this section, the powers given to the State Board and the assistance team under G.S. 115C-105.38 and G.S. 115C-105.39 shall apply as if the school had been identified as low-performing under this Article."

(b) Effective when this act becomes law, Chapter 115C of the General

Statutes is amended by adding a new Article to read:

"ARTICLE 27A.

"Management and Placement of Disruptive Students.

"**§ 115C-397.1. Management and placement of disruptive students.**

If, after a teacher has requested assistance from the principal two or more times due to a student's disruptive behavior, the teacher finds that the student's disruptive behavior continues to interfere with the academic achievement of that student or other students in the class, then the teacher may refer the matter to a school-based committee. The teacher may request that additional classroom teachers participate in the committee's proceedings. For the purposes of this section, the committee shall notify the student's parent, guardian, or legal custodian and shall encourage that person's participation in the proceedings of the committee concerning the student. A student is not required to be screened, evaluated, or identified as a child with special needs under this section. The committee shall review the matter and shall take one or more of the following actions: (i) advise the teacher on managing the student's behavior more effectively, (ii) recommend to the principal the transfer of the student to another class within the school, (iii) recommend to the principal a multidisciplinary diagnosis and evaluation of the student, (iv) recommend to the principal that the student be assigned to an alternative learning program, or (v) recommend to the principal that the student receive any additional services that the school or the school unit has the resources to provide for the student. If the principal does not follow the recommendation of the committee, the principal shall provide a written explanation to the committee, the teacher who referred the matter to the committee, and the superintendent, of any actions taken to resolve the matter and of the reason the principal did not follow the recommendation of the committee.

This section shall be in addition to and supplemental to disciplinary action taken in accordance with any other law. The recommendation of the committee is final and shall not be appealed under G.S. 115C-45(c). Nothing in this section shall authorize a student to refer a disciplinary matter to this committee or to have the matter of the student's behavior referred to this committee before any discipline is imposed on the student."

(c) Of the funds appropriated to State Aid to Local School Administrative Units, the sum of three million two hundred thousand dollars ($3,200,000) for the 1997-98 fiscal year and the sum of three million two hundred thousand dollars ($3,200,000) for the 1998-99 fiscal year shall be used to provide additional teachers for middle school children who are academically below grade level. Middle school children are children in a school that serves grades six, seven, and eight, and no other grades.

(1) The State Board of Education shall allocate these teacher positions to pilot middle schools on the basis of the number of students in grade six who scored at proficiency Level I on the end-of-grade test in mathematics, on the end-of-grade test in reading, or on both, at the end of their last school year. The funds shall be used in schools that have at least 50 such students at a ratio of one teacher to every 50 students. No partial positions shall be allocated.

(2) The purpose of these funds is to improve the academic performance and the behavior of these students during the first school year after elementary school by placing them in classes with a low student-to-teacher ratio for either all of their core academic subjects or for the subject or subjects in which they are below grade

level. In order to accomplish this purpose, local school administrative units shall use (i) the teachers allocated for these students pursuant to the regular teacher allotment and (ii) the teachers allocated for these students under this section only to improve the academic performance and the behavior of these students. Local boards of education shall adopt rules to ensure that each student for whom funds for additional teacher positions are allocated under this section shall be assigned a teacher who is responsible for monitoring the academic progress of the student.

(3) Of the funds appropriated in this section, the State Board of Education may use up to twenty-five thousand dollars ($25,000) to evaluate the effectiveness of these smaller classes in improving academic performance and discipline in middle schools.

(d) Effective November 1, 1997, G.S. 115C-366 is amended by adding the following new subsections to read:

"(a4) When a student transfers into the public schools of a local school administrative unit, that local board shall require the student's parent, guardian, or custodian to provide a statement made under oath or affirmation before a qualified official indicating whether the student is, at the time, under suspension or expulsion from attendance at a private or public school in this or any other state or has been convicted of a felony in this or any other state. This subsection does not apply to the enrollment of a student who has never been enrolled in or attended a private or public school in this or any other state.

(a5) Notwithstanding any other law, a local board may deny admission to or place reasonable conditions on the admission of a student who has been suspended from a school under G.S. 115C-391 or who has been suspended from a school for conduct that could have led to a suspension from a school within the local school administrative unit where the student is seeking admission until the period of suspension has expired. Also, a local board may deny admission to or place reasonable conditions on the admission of a student who has been expelled from a school under G.S. 115C-391 or who has been expelled from a school for behavior that indicated the student's continued presence in school constituted a clear threat to the safety of other students or employees or who has been convicted of a felony in this or any other state. If the local board denies admission to a student who has been expelled or convicted of a felony, the student may request the local board to reconsider that decision in accordance with G.S. 115C-391(d)."

(e) Effective November 1, 1997, Article 54 of Chapter 7A of the General Statutes is amended by adding the following new section to read:

"**§ 7A-675.2. Notification of schools when juveniles are alleged or found to be delinquent.**

(a) Notwithstanding G.S. 7A-675, the juvenile court counselor shall deliver verbal and written notification of the following actions to the principal of the school that the juvenile attends:

(1) A petition is filed under G.S. 7A-560 that alleges delinquency for an offense that would be a felony if committed by an adult;

(2) The judge transfers jurisdiction over a juvenile to superior court under G.S. 7A-608;

(3) The judge dismisses under G.S. 7A-637 the petition that alleges delinquency for an offense that would be a felony if committed by an adult;

(4) The judge issues a dispositional order under Article 52 of Chapter 7A of the General Statutes including, but not limited to, an order of probation that requires school attendance, concerning a juvenile alleged or found delinquent for an offense that would be a felony if committed by an adult; or

(5) The judge modifies or vacates any order or disposition under G.S. 7A-664 concerning a juvenile alleged or found delinquent for an offense that would be a felony if committed by an adult.

Notification of the school principal in person or by telephone shall be made before the beginning of the next school day. Delivery shall be made as soon as practicable but at least within five days of the action. Delivery shall be made in person or by certified mail. Notification that a petition has been filed shall describe the nature of the offense. Notification of a dispositional order, a modified or vacated order, or a transfer to superior court shall describe the judge's action and any applicable disposition requirements. As used in this subsection, the term `offense' shall not include any offense under Chapter 20 of the General Statutes.

(b) If the principal of the school the juvenile attends returns any notification as required by G.S. 115C-404, and if the juvenile court counselor learns that the juvenile is transferring to another school, the juvenile court counselor shall deliver the notification to the principal of the school to which the juvenile is transferring. Delivery shall be made as soon as practicable and shall be made in person or by certified mail.

(c) Principals shall handle any notification delivered under this section in accordance with G.S. 115C-404.

(d) For the purpose of this section, `school' means any public or private school in the State that is authorized under Chapter 115C of the General Statutes."

(f) Effective November 1, 1997, Article 29 of Chapter 115C of the General Statutes is amended by adding a new section to read:

"**§ 115C-404. Use of juvenile court information.**

(a) Written notifications received in accordance with G.S. 7A-675.1 are confidential records, are not public records as defined under G.S. 132-1, and shall not be made part of the student's official record under G.S. 115C-402. Immediately upon receipt, the principal shall maintain these documents in a safe, locked record storage that is separate from the student's other school records. The principal shall maintain these documents until the principal receives notification that the judge dismissed the petition under G.S. 7A-637, the judge transferred jurisdiction over the student to superior court under G.S. 7A-608, or the judge granted the student's petition for expunction of the records. At that time, the principal shall shred, burn, or otherwise destroy the documents to protect the confidentiality of this information. In no case shall the principal make a copy of these documents.

(b) Documents received under this section may be used only to protect the safety of or to improve the educational opportunities for the student or others. Upon receipt of each document, the principal shall share the document with those individuals who have (i) direct guidance, teaching, or supervisory responsibility for the student, and (ii) a specific need to know in order to protect the safety of the student or others. Those individuals shall indicate in writing that they have read the document and that they agree to maintain its confidentiality. Failure to maintain the confidentiality of these documents as required

by this section is grounds for the dismissal of an employee who is not a career employee and is grounds for dismissal of an employee who is a career employee, in accordance with G.S. 115C-325(e)(1)i.

(c) If the student graduates, withdraws from school, is suspended for the remainder of the school year, is expelled, or transfers to another school, the principal shall return the documents to the juvenile court counselor and, if applicable, shall provide the counselor with the name and address of the school to which the student is transferring."

(g) Effective November 1, 1997, G.S. 15A-505 reads as rewritten:

"**§ 15A-505. Notification of ~~minor's parent.~~ parent and school.**

(a) A ~~law enforcement~~ law enforcement officer who charges a minor with a criminal offense shall notify the minor's parent or guardian of the charge, as soon as practicable, in person or by telephone. If the minor is taken into custody, the law enforcement officer or the officer's immediate superior shall notify a parent or guardian in writing that the minor is in custody within 24 hours of the minor's arrest. If the parent or guardian of the minor cannot be found, then the officer or the officer's immediate superior shall notify the minor's next-of-kin of the minor's arrest as soon as practicable.

(b) The notification provided for by subsection (a) of this section shall not be required if:

(1) The minor is emancipated;

(2) The minor is not taken into custody and has been charged with a motor vehicle moving violation for which three or fewer points are assessed under G.S. 20-16(c), except an offense involving impaired driving, as defined in G.S. 20-4.02(24a); or

(3) The minor has been charged with a motor vehicle offense that is not a moving violation.

(c) A law enforcement officer who charges a person with a criminal offense that is a felony, except for a criminal offense under Chapter 20 of the General Statutes, shall notify the principal of any school the person attends of the charge as soon as practicable but at least within five days. The notification may be made in person or by telephone. If the person is taken into custody, the law enforcement officer or the officer's immediate supervisor shall notify the principal of any school the person attends. This notification shall be in writing and shall be made within five days of the person's arrest. If a principal receives notification under this subsection, a representative from the district attorney's office shall notify that principal of the final disposition at the trial court level. This notification shall be in writing and shall be made within five days of the disposition. As used in this subsection, the term `school' means any public or private school in the State that is authorized under Chapter 115C of the General Statutes."

(h) The Board of Governors of The University of North Carolina shall develop a plan for ensuring that school administrator and teacher preparation and continuing education programs provide their students with the training and experience they need to maintain and restore safety and order in schools.

The Board of Governors shall report on the plan, prior to February 15, 1998, to the Joint Legislative Education Oversight Committee.

(i) The State Board of Education shall review and consider modifications to its school facility guidelines in light of research on the relationship between (i) school

design components, especially school size, and (ii) school climate and order.

The State Board shall also develop recommendations to local boards of education on modifications to the design or organization of existing schools that would improve school climate and order.

The State Board of Education shall report to the Joint Legislative Education Oversight Committee prior to February 15, 1998, on actions taken to implement the provisions of this section.

(j) Prior to November 15, 1997, the State Board of Education shall review and modify, if necessary, its policies and procedures on data kept and reports made on acts of violence in school and on students suspended or expelled from school, to ensure that data and reports are accurate and consistent on a statewide basis. The State Board shall report to the Joint Legislative Education Oversight Committee prior to March 15, 1998, on the impact of its efforts to attain accurate and consistent reports.

(k) Effective when this act becomes law, G.S. 115C-307(a) reads as rewritten:

"(a) To Maintain Order and Discipline. -- It shall be the duty of all teachers, including student teachers, substitute teachers, voluntary teachers, and teacher assistants when given authority over some part of the school program by the principal or supervising teacher, to maintain good order and discipline in their respective schools. A teacher, student teacher, substitute teacher, voluntary teacher, or teacher assistant shall report to the principal acts of violence in school and students suspended or expelled from school as required to be reported in accordance with State Board policies."

(l)

(1) There is created the At-Risk Students Task Force under the State Board of Education. The Task Force shall consist of the Chair of the State Board of Education, the Superintendent of Public Instruction, the President of the Community College System, the Secretary of Human Resources, the State Health Director, and the Director of the Administrative Office of the Courts. Each officer may designate one representative from that officer's department or office to represent that officer on the Task Force. These officers also may appoint additional members who represent other State and local public agencies to the Task Force. The Chair of the State Board of Education, or the Chair's designee, shall serve as the Chair of the Task Force. The Department of Public Instruction and the Department of Human Resources shall provide staff and clerical support to the Task Force. The State Board of Education shall fund the Task Force within funds available to it.

(2) The Task Force shall develop a plan to develop interagency agreements between local school administrative units and other local public agencies, including, among others, health departments, departments of social services, mental health agencies, and courts, in order to provide cooperative services to students who are at risk of school failure, at risk of participation in juvenile crime, or both.

(3) The Task Force shall report its plan, along with any suggested statutory revisions, to the Joint Legislative Education Oversight Committee by January 15, 1998, at which time the Task Force shall terminate.

(m) G.S. 143B-152.5 reads as rewritten:

"**§ 143B-152.5. Grants review and selection.**

(a) The Department shall develop and disseminate a request for applications and establish procedures to be followed in developing and submitting applications to establish local S.O.S. programs and administering grants to establish local S.O.S. programs. This information shall include examples of the design and types of S.O.S. programs that evaluations have shown are likely to be successful in improving the academic performance of the participants or in reducing disruptive or illegal behavior.

(b) The Secretary of Human Resources shall appoint a State task force to assist the Secretary in reviewing grant applications. The State task force shall include representatives of the Department of Human Resources, the Department of Public Instruction, local school administrative units, educators, parents, the juvenile justice system, social services, and governmental agencies providing services to children, and other members the Secretary considers appropriate. In appointing the State task force, the Secretary shall consult with the Superintendent of Public Instruction in an effort to coordinate the membership of this State task force, the State task force appointed by the Secretary pursuant to G.S. 143B-152.14, and the State task force appointed by the Superintendent pursuant to G.S. 115C-238.42.

In reviewing grant applications, the Secretary and the State task force may consider (i) the severity of the local problems as determined by the needs assessment data, (ii) the likelihood that the locally designed plan will result in high quality after-school services for school-aged children, (iii) evidence of local collaboration and coordination of services, (iv) any innovative or experimental aspects of the plan that will make it a useful model for replication in other neighborhoods and communities, ~~and~~ (v) evidence that similarly designed programs have been efficient and effective in improving the academic performance of the participants or in reducing disruptive or illegal behavior, and (vi) any other factors which affect the well-being of school-aged children.

(c) In determining the amount of funds an applicant receives, the Secretary and the State task force may consider (i) the number of children to be served, (ii) the number and percentage of children to be served who participate in the subsidized lunch program, (iii) the number and percentage of school-aged children with two working parents or one single parent to be served, (iv) the availability of other resources or funds, and (v) the amount needed to implement the proposal.

(d) The Secretary shall award the grants."

(n) G.S. 143B-152.7(a) reads as rewritten:

"(a) The Department of Human Resources shall develop and implement an evaluation system that will assess the efficiency and effectiveness of the S.O.S. Program. The Department shall design this system to:

(1) Provide information to the Department and to the General Assembly on how to improve and refine the programs;

(1a) Develop information for dissemination to potential grant applicants on the design of programs that experience has shown are likely to be successful;

(2) Enable the Department and the General Assembly to assess the overall quality, efficiency, and impact of the existing programs;

(3) Enable the Department and the General Assembly to determine whether to

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modify the S.O.S. Program; and

(4) Provide a detailed fiscal analysis of how State funds for these programs were used."

(o) G.S. 115C-12(24), as amended by Section 15(e) of S.L. 1997-18 and Section 1 of S.L. 1997-239, reads as rewritten:

"(24) Duty to Develop Guidelines for Alternative Learning Programs, Provide Technical Assistance on Implementation of Programs, and Evaluate Programs. -- The State Board of Education shall adopt guidelines for assigning students to alternative learning programs. These guidelines shall include (i) a description of the programs and services that are recommended to be provided in alternative learning programs and (ii) a process for ensuring that an assignment is appropriate for the student and that the student's parents are involved in the decision.

The State Board of Education shall also adopt guidelines to require that local school administrative units shall use (i) the teachers allocated for students assigned to alternative learning programs pursuant to the regular teacher allotment and (ii) the teachers allocated for students assigned to alternative learning programs only to serve the needs of these students.

The State Board of Education shall provide technical support to local school administrative units to assist them in developing and implementing plans for alternative learning programs.

The State Board of Education shall recommend to local boards of education ways to measure the academic achievement of students while they are in the alternative learning programs or in remedial learning programs.

The State Board shall evaluate the effectiveness of alternative learning programs and, in its discretion, of any other programs funded from the Alternative Schools/At-Risk Student allotment. Local school administrative units shall report to the State Board of Education on how funds in the Alternative Schools/At-Risk Student allotment are spent and shall otherwise cooperate with the State Board of Education in evaluating the alternative learning programs. The State Board of Education shall report annually to the Joint Legislative Education Oversight Committee, beginning in December 1996, on the results of this evaluation."

(p) The State Board of Education and the Secretary of the Department of Human Resources shall appoint an advisory committee to consider the advisability of and to develop a proposal for creating regional residential schools for students with emotional and behavioral problems so severe that the public schools cannot serve them. The advisory committee shall clearly define the population and the age limits of the population for whom such a residential school would be appropriate, estimate the number of students in that population, devise a plan for building and operating such schools, and estimate the costs and benefits of such schools. The advisory committee shall consider whether any existing State facilities would be available and appropriate to house such a school. The State Board of Education shall convene and coordinate the meetings of the advisory committee. The advisory committee shall report the results of its study, including its recommendation on the advisability of creating these schools, to the State Board of Education and the Secretary of the Department of Human Resources prior to January 15,

1998. The State Board of Education shall report the results of the study to the Joint Legislative Education Oversight Committee prior to February 15, 1998.

(q)

(1) G.S. 115C-391 reads as rewritten:

"**§ 115C-391. Corporal punishment, suspension, or expulsion of pupils.**

(a) Local boards of education shall adopt policies not inconsistent with the provisions of the Constitutions of the United States and North Carolina, governing the conduct of students and establishing procedures to be followed by school officials in suspending or expelling any student, or in disciplining any student if the offensive behavior could result in suspension, expulsion, or the administration of corporal punishment. The policies that shall be adopted for the administration of corporal punishment shall include at a minimum the following conditions:

(1) Corporal punishment shall not be administered in a classroom with other children present;

(2) The student body shall be informed beforehand what general types of misconduct could result in corporal punishment;

(3) Only a teacher, substitute teacher, principal, or assistant principal may administer corporal punishment and may do so only in the presence of a principal, assistant principal, teacher, substitute teacher, teacher assistant, or student teacher, who shall be informed beforehand and in the student's presence of the reason for the punishment; and

(4) An appropriate school official shall provide the child's parent or guardian with notification that corporal punishment has been administered, and upon request, the official who administered the corporal punishment shall provide the child's parent or guardian a written explanation of the reasons and the name of the second school official who was present.

~~The~~ Each local board shall publish all the policies mandated by this subsection and make them available to each student and his parent or guardian at the beginning of each school year.

Notwithstanding any policy adopted pursuant to this section, school personnel may use reasonable force, including corporal punishment, to control behavior or to remove a person from the scene in those situations when necessary:

(1) To quell a disturbance threatening injury to others;

(2) To obtain possession of weapons or other dangerous objects on the person, or within the control, of a student;

(3) For self-defense; ~~or~~

(4) For the protection of persons or ~~property.~~ property; or

(5) To maintain order on school property, in the classroom, or at a school-related activity on or off school property.

(b) The principal of a school, or his delegate, shall have authority to suspend for a period of 10 days or less any student who willfully violates policies of conduct established by the local board of education: Provided, that a student suspended pursuant to this subsection shall be provided an opportunity to take any quarterly, semester or grading period examinations missed during the suspension period.

(c) The principal of a school, with the prior approval of the superintendent, shall have

the authority to suspend for periods of times in excess of 10 school days but not exceeding the time remaining in the school year, any pupil who willfully violates the policies of conduct established by the local board of education. The pupil or his parents may appeal the decision of the principal to the local board of education.

(d) Notwithstanding G.S. 115C-378, a local board of education may, upon recommendation of the principal and superintendent, expel any student 14 years of age or older whose behavior indicates that the student's continued presence in school constitutes a clear threat to the safety of other students or employees. The local board of education's decision to expel a student under this section shall be based on clear and convincing evidence. Prior to ordering the expulsion of a student pursuant to this subsection, the local board of education shall consider whether there is an alternative program offered by the local school administrative unit that may provide education services for the student who is subject to expulsion. At any time after the first July 1 that is at least six months after the board's decision to expel a student under this subsection, a student may request the local board of education to reconsider that decision. If the student demonstrates to the satisfaction of the local board of education that the student's presence in school no longer constitutes a threat to the safety of other students or employees, the board shall readmit the student to a school in that local school administrative unit on a date the board considers appropriate. ~~Notwithstanding the provisions of G.S. 115C-112, a local board of education has no duty to continue to provide a child with special needs, expelled pursuant to this subsection, with any special education or related services during the period of expulsion.~~

(d1) A local board of education shall suspend for 365 days any student who brings a weapon, as defined in G.S. 14-269.2(b) and ~~(g),~~ G.S. 14-269.2(g), onto school property. The local board of education upon recommendation by the superintendent may modify this suspension requirement on a case-by-case basis ~~which~~ that includes, but is not limited to, the procedures ~~set out in G.S. 115C-112~~ established for the discipline of students with disabilities and may also provide, or contract for the provision of, educational services to any student suspended pursuant to this subsection in an alternative school setting or in another setting that provides educational and other services.

(d2)(1) A local board of education shall remove to an alternative educational setting, as provided in subdivision (4) of this subsection, any student who is at least 13 and who physically assaults and seriously injures a teacher or other school personnel. If no appropriate alternative educational setting is available, then the board shall suspend for no less than 300 days but no more than 365 days any student who is at least 13 and who physically assaults and seriously injures a teacher or other school personnel.

(2) A local board of education may remove to an alternative educational setting any student who is at least 13 and who does one of the following:

a. Physically assaults a teacher or other adult who is not a student.

b. Physically assaults another student if the assault is witnessed by school personnel.

c. Physically assaults and seriously injures another student.

If no appropriate alternative educational setting is available, then the board may suspend this student for up to 365 days.

(3) For purposes of this subsection, the conduct leading to suspension or removal to an alternative educational setting must occur on school property or at a school-sponsored or school-related activity on or off school property. This subsection shall not apply when the student who is subject to suspension or removal was acting in self-defense. If a teacher is assaulted or injured and as a result a student is suspended or removed to an alternative educational setting under this subsection, then the student shall not be returned to that teacher's classroom unless the teacher consents. If a student is suspended under this subsection, the board may assign the student to an alternative educational setting upon the expiration of the period of suspension.

(4) If the local board removes the student to an alternative educational setting, as provided in subdivision (1) of this subsection, and the conduct leading to the removal occurred on or before the ninetieth school day, the board shall remove the student to that setting for the remainder of the current school year and the first 90 school days in the following school year. If the board chooses to remove the student to an alternative educational setting, as provided in subdivision (1) of this subsection, and the conduct leading to the removal occurred after the ninetieth school day, the board shall remove the student to that setting for the remainder of the current school year and for the entire subsequent school year. Notwithstanding these requirements, the local board may authorize a shorter or longer length of time a student must remain in an alternative educational setting if the board finds this would be more appropriate based upon the recommendations of the principals of the alternative school and the school to which the student will return.

(e) A decision of a local board under subsection (c), (d), ~~or (d1)~~ (d1), or (d2) of this section is final and, except as provided in this subsection, is subject to judicial review in accordance with Article 4 of Chapter 150B of the General Statutes. A person seeking judicial review shall file a petition in the superior court of the county where the local board made its decision.

(f) Local boards of education ~~shall, no later than December 1, 1993, reevaluate and update their policies related to school safety so they reflect changes authorized by the 1993 General Assembly. In particular, boards~~ shall ensure they have clear policies governing the conduct of ~~students, which~~ students. At a minimum, these policies shall state the consequences of violent or assaultive behavior, possessions of weapons, and criminal acts committed on school property or at school-sponsored functions. The State Board shall develop guidelines to assist local boards in this process.

(g) Notwithstanding the provisions of this section, the policies and procedures for the discipline of students with disabilities shall be consistent with federal laws and regulations.

(h) Notwithstanding any other law, no officer or employee of the State Board of Education or of a local board of education shall be civilly liable for using reasonable force, including corporal punishment, in conformity with State law, State or local rules, or State or local policies regarding the control, discipline, suspension, and expulsion of students. Furthermore, the burden of proof is on the claimant to show that the amount of force used was not reasonable."

(2) This subsection is effective November 1, 1997, and applies to conduct occurring on or after that date.

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(r) Effective when this act becomes law:

(1) Chapter 115C of the General Statutes is amended by adding a new Article to read:

"ARTICLE 8C.

"Local Plans for Maintaining Safe and Orderly Schools.

"§ 115C-105.45. Legislative findings.

The General Assembly finds that all schools should be safe, secure, and orderly. If students are to aim for academic excellence, it is imperative that there is a climate of respect in every school and that every school is free of disruption, drugs, violence, and weapons. All schools must have plans, policies, and procedures for dealing with disorderly and disruptive behavior. All schools and school units must have effective measures for assisting students who are at risk of academic failure or of engaging in disruptive and disorderly behavior.

"§ 115C-105.46. State Board of Education responsibilities.

In order to implement this Article, the State Board of Education:

(1) Shall adopt guidelines for developing local plans under G.S. 115C-105.47;

(2) Shall provide, in cooperation with the Board of Governors of The University of North Carolina, ongoing technical assistance to the local school administrative units in the development, implementation, and evaluation of their local plans under G.S. 115C-105.47;

(3) May require a local board of education to withhold the salary of any administrator or other employee of a local school administrative unit who delays or refuses to prepare and implement local safe school plans in accordance with G.S. 115C-105.47; and

(4) May revoke the certificate of the superintendent, pursuant to G.S. 115C-274(c), for failure to fulfill the superintendent's duties under a local safe school plan.

"§ 115C-105.47. Local safe school plans.

(a) Each local board of education shall develop a local school administrative unit safe school plan designed to provide that every school in the local school administrative unit is safe, secure, and orderly, that there is a climate of respect in every school, and that appropriate personal conduct is a priority for all students and all public school personnel. The board shall include parents, the school community, representatives of the community, and others in the development or review of this plan. The plan may be developed by or in conjunction with other committees.

(b) Each plan shall include each of the following components:

(1) Clear statements of the standard of behavior expected of students at different grade levels and of school personnel and clear statements of the consequences that will result from one or more violations of those standards. There shall be a statement of consequences for students under the age of 13 who physically assault and seriously injure a teacher or other individual on school property or at a school-sponsored or school-related activity. The consequences may include placement in an alternative setting.

(2) A clear statement of the responsibility of the superintendent for coordinating the adoption and the implementation of the plan, evaluating principals'

performance regarding school safety, monitoring and evaluating the implementation of safety plans at the school level, and coordinating with local law enforcement and court officials appropriate aspects of implementation of the plan. The statement of responsibility shall provide appropriate disciplinary consequences that may occur if the superintendent fails to carry out these responsibilities. These consequences may include a reprimand in the superintendent's personnel file or withholding of the superintendent's salary, or both.

(3) A clear statement of the responsibility of the school principal for restoring, if necessary, and maintaining a safe, secure, and orderly school environment and of the consequences that may occur if the principal fails to meet that responsibility. The principal's duties shall include exhibiting appropriate leadership for school personnel and students, providing for alternative placements for students who are seriously disruptive, reporting all criminal acts under G.S. 115C-288(g), and providing appropriate disciplinary consequences for disruptive students. The consequences to the principal that may occur shall include a reprimand in the principal's personnel file and disciplinary proceedings under G.S. 115C-325.

(4) Clear statements of the roles of other administrators, teachers, and other school personnel in restoring, if necessary, and maintaining a safe, secure, and orderly school environment.

(5) Procedures for identifying and serving the needs of students who are at risk of academic failure or of engaging in disruptive or disorderly behavior.

(6) Mechanisms for assessing the needs of disruptive and disorderly students, providing them with services to assist them in achieving academically and in modifying their behavior, and removing them from the classroom when necessary.

(7) Measurable objectives for improving school safety and order.

(8) Measures of the effectiveness of efforts to assist students at risk of academic failure or of engaging in disorderly or disruptive behavior.

(9) Professional development clearly matched to the goals and objectives of the plan.

(10) A plan to work effectively with local law enforcement officials and court officials to ensure that schools are safe and laws are enforced.

(11) A plan to provide access to information to the school community, parents, and representatives of the local community on the ongoing implementation of the local plan, monitoring of the local plan, and the integration of educational and other services for students into the total school program.

(12) The name and role description of the person responsible for implementation of the plan.

(13) Direction to school improvement teams within the local school administrative unit to consider the special conditions at their schools and to incorporate into their school improvement plans the appropriate components of the local plan for maintaining safe and orderly schools.

(14) A clear and detailed statement of the planned use of federal, State, and local funds allocated for at-risk students, alternative schools, or both.

(15) Any other information the local board considers necessary or appropriate to implement this Article.

A local board may develop its plan under this section by conducting a comprehensive review of its existing policies, plans, statements, and procedures to determine whether they: (i) are effective; (ii) have been updated to address recent changes in the law; (iii) meet the current needs of each school in the local school administrative unit; and (iv) address the components required to be included in the local plan. The board then may consolidate and supplement any previously developed policies, plans, statements, and procedures that the board determines are effective and updated, meet the current needs of each school, and meet the requirements of this subsection.

Once developed, the board shall submit the local plan to the State Board of Education and shall ensure the plan is available and accessible to parents and the school community. The board shall provide annually to the State Board information that demonstrates how the At-Risk Student Services/Alternative Schools Funding Allotment has been used to (i) prevent academic failure or (ii) promote school safety.

(c) The local board may amend the plan as often as it considers necessary or appropriate."

(2) G.S. 115C-105.27, as amended by Section 1 of S.L. 1997-159, reads as rewritten:

"**§ 115C-105.27. Development and approval of school improvement plans.**

In order to improve student performance, each school shall develop a school improvement plan that takes into consideration the annual performance goal for that school that is set by the State Board under G.S. 115C-105.35. The principal of each school, representatives of the assistant principals, instructional personnel, instructional support personnel, and teacher assistants assigned to the school building, and parents of children enrolled in the school shall constitute a school improvement team to develop a school improvement plan to improve student performance. Unless the local board of education has adopted an election policy, parents shall be elected by parents of children enrolled in the school in an election conducted by the parent and teacher organization of the school or, if none exists, by the largest organization of parents formed for this purpose. Parents serving on school improvement teams shall reflect the racial and socioeconomic composition of the students enrolled in that school and shall not be members of the building-level staff. Parental involvement is a critical component of school success and positive student achievement; therefore, it is the intent of the General Assembly that parents, along with teachers, have a substantial role in developing school improvement plans. To this end, school improvement team meetings shall be held at a convenient time to assure substantial parent participation. The strategies for improving student performance shall include a plan for the use of staff development funds that may be made available to the school by the local board of education to implement the school improvement ~~plan.~~ plan and shall include a plan to address school safety and discipline concerns in accordance with the safe school plan developed under Article 8C of this Chapter. The strategies may include a decision to use State funds in accordance with G.S. 115C-105.25. The strategies may also include requests for waivers of State laws, rules, or policies for that school. A request for a waiver shall meet the requirements of G.S. 115C-105.26.

Support among affected staff members is essential to successful implementation of a school improvement plan to address improved student performance at that school. The

principal of the school shall present the proposed school improvement plan to all of the principals, assistant principals, instructional personnel, instructional support personnel, and teacher assistants assigned to the school building for their review and vote. The vote shall be by secret ballot. The principal shall submit the school improvement plan to the local board of education only if the proposed school improvement plan has the approval of a majority of the staff who voted on the plan.

The local board of education shall accept or reject the school improvement plan. The local board shall not make any substantive changes in any school improvement plan that it accepts. If the local board rejects a school improvement plan, the local board shall state with specificity its reasons for rejecting the plan; the school improvement team may then prepare another plan, present it to the principals, assistant principals, instructional personnel, instructional support personnel, and teacher assistants assigned to the school building for a vote, and submit it to the local board to accept or reject. If no school improvement plan is accepted for a school within 60 days after its initial submission to the local board, the school or the local board may ask to use the process to resolve disagreements recommended in the guidelines developed by the State Board under G.S. 115C-105.20(b)(5). If this request is made, both the school and local board shall participate in the process to resolve disagreements. If there is no request to use that process, then the local board may develop a school improvement plan for the school. The General Assembly urges the local board to utilize the school's proposed school improvement plan to the maximum extent possible when developing such a plan.

A school improvement plan shall remain in effect for no more than three years; however, the school improvement team may amend the plan as often as is necessary or appropriate. If, at any time, any part of a school improvement plan becomes unlawful or the local board finds that a school improvement plan is impeding student performance at a school, the local board may vacate the relevant portion of the plan and may direct the school to revise that portion. The procedures set out in this subsection shall apply to amendments and revisions to school improvement plans."

(3) The State Board of Education shall develop a plan to reward school principals for improving school safety and school climate. The Board shall report this plan, along with any recommended statutory changes, to the Joint Legislative Education Oversight Committee by April 15, 1998.

(4) Local boards of education shall begin implementation of local safe school plans developed under this section by the beginning of the 1998-99 school year.

(s) Effective when this act becomes law, G.S. 115C-402 reads as rewritten:

"**§ 115C-402. Student records; maintenance; contents; confidentiality.**

The official record of each student enrolled in North Carolina public schools shall be permanently maintained in the files of the appropriate school after the student graduates, or should have graduated, from high school unless the local board determines that such files may be filed in the central office or other location designated by the local board for that purpose.

The official record shall contain, as a minimum, adequate identification data including date of birth, attendance data, grading and promotion data, and such other factual information as may be deemed appropriate by the local board of education having jurisdiction over the school wherein the record is maintained. Each student's official

record also shall include notice of any suspension for a period of more than 10 days or of any expulsion under G.S. 115C-391 and the conduct for which the student was suspended or expelled. The notice of suspension or expulsion shall be expunged from the record if the student (i) graduates from high school or (ii) is not expelled or suspended again during the two-year period commencing on the date of the student's return to school after the expulsion or suspension.

The official record of each student is not a public record as the term `public record' is defined by G.S. 132-1. The official record shall not be subject to inspection and examination as authorized by G.S. 132-6."

(t) Effective November 1, 1997, G.S. 115C-288(g) reads as rewritten:

"(g) To Report Certain Acts to Law Enforcement. -- When the principal has a ~~reasonable belief~~ personal knowledge or actual notice from school personnel that an act has occurred on school property involving assault resulting in serious personal injury, sexual assault, sexual offense, rape, kidnapping, indecent liberties with a minor, assault involving the use of a weapon, possession of a firearm in violation of the law, possession of a weapon in violation of the law, or possession of a controlled substance in violation of the law, the principal shall immediately report the act to the appropriate local law enforcement agency. Failure to report under this subsection is a Class 3 misdemeanor. For purposes of this subsection, `school property' shall include any public school building, bus, public school campus, grounds, recreational area, or athletic field, in the charge of the principal. It is the intent of the General Assembly that the principal notify the superintendent and the superintendent notify the local board of any report made to law enforcement under this subsection."

(u) G.S. 115C-12 is amended by adding the following new subdivision to read:

"(27) Reporting Dropout Rates and Expelled Students. -- The State Board shall not include students that have been expelled from school when calculating the dropout rate. The Board shall maintain a separate record of the number of students who are expelled from school."

(v) The Board of Governors of The University of North Carolina, in consultation with the State Board of Education, the Administrative Office of the Courts, the Department of Crime Control and Public Safety, and other appropriate State agencies, shall develop a program for the ongoing training of school officials, local law enforcement officials, and local court officials. The program shall be designed to promote local collaboration on school safety and discipline issues. The Board of Governors shall report to the Joint Legislative Education Oversight Committee on the development of this program by January 15, 1998.

(w) Of the funds appropriated to the State Board of Education, the sum of ten million dollars ($10,000,000) for the 1997-98 fiscal year and the sum of ten million dollars ($10,000,000) for the 1998-99 fiscal year shall be allocated to Alternative Schools/At-Risk Students.

Requested by: Senators Lee, Winner, Hartsell, Representatives Arnold, Grady, Preston, Moore

SCHOOL-BASED ADMINISTRATOR SALARIES

State funds only; it does not include teachers or assistant principals paid from non-State funds or the principal or teacher assistants.

The beginning classification for principals in alternative schools shall be the Principal III level. Principals in alternative schools who supervise 33 or more teachers shall be classified according to the number of teachers supervised.

(d) A principal shall be placed on the step on the salary schedule that reflects total number of years of experience as a certificated employee of the public schools and an additional step for every three years of experience as a principal.

(e) For the 1997-98 fiscal year, a principal or assistant principal shall be placed on the appropriate step plus one percent (1%) if:

(1) The employee's school meets or exceeds the projected levels of improvement in student performance for the 1997-98 fiscal year, in accordance with the ABC's of Public Education Program; or

(2) The local board of education finds that the employee's school has met objectively measurable goals set by the local board of education for maintaining a safe and orderly school.

The principal or assistant principal shall be placed on the appropriate step plus two percent (2%) if the conditions set out in both subdivision (1) and (2) are satisfied. The principal or assistant principal shall receive a lump sum payment for the 1997-98 fiscal year service if the conditions set out in subdivision (1) or (2) or both are satisfied. The lump sum shall be paid as determined by guidelines adopted by the State Board. Placement on the salary schedule in the following year shall be based upon these increases.

(f) For the 1998-99 fiscal year, a principal or assistant principal shall be placed on the appropriate step plus one percent (1%) if:

(1) The employee's school meets or exceeds the projected levels of improvement in student performance for the 1998-99 fiscal year, in accordance with the ABC's of Public Education Program; or

(2) The local board of education finds that the employee's school has met the goals of the local plan for maintaining a safe and orderly school.

The principal or assistant principal shall be placed on the appropriate step plus two percent (2%) if the conditions set out in both subdivision (1) and (2) are satisfied. The principal or assistant principal shall receive a lump sum payment for the 1997-98 fiscal year service if the conditions set out in subdivision (1) or (2) or both are satisfied. The lump sum shall be paid as determined by guidelines adopted by the State Board. Placement on the salary schedule in the following year shall be based upon these increases.

(g) Principals and assistant principals with certification based on academic preparation at the six-year degree level shall be paid a salary supplement of one hundred twenty-six dollars ($126.00) per month and at the doctoral degree level shall be paid a salary supplement of two hundred fifty-three dollars ($253.00) per month.

(h) There shall be no State requirement that superintendents in each local school unit shall receive in State-paid salary at least one percent (1%) more than the highest paid principal receives in State salary in that school unit: Provided, however, the additional State-paid salary a superintendent who was employed by a local school administrative unit for the 1992-93 fiscal year received because of that requirement shall not be reduced because of this subsection for subsequent fiscal years that the

Definition and Standards for Safe Schools

The North Carolina Department of Public Instruction's Instructional Support/Safe Schools Team in the Division of School Improvement Services is developing a framework for safe-schools planning. Several strategies and ideas for ensuring safe schools are listed below. This framework is the beginning of a more detailed manual that will be forthcoming from this Team. Safe schools are both a condition and an outcome of effective schools. Having an orderly, disciplined and safe school requires a comprehensive approach that encompasses the physical environment and social and academic climate of the school.

Definition of Safe Schools

A safe school is a school:

(1) Where identified or specified problems or incidents of disruption, crime and violence are progressively decreased to zero;

(2) Which is perceived to be orderly, disciplined and safe by at least 95 percent of major stakeholders (i.e., students, educators, parents) and where at least 95 percent of occupants feel safe and secure at any time, while striving for 100 percent on these dimensions;

(3) Where the occurrence of absences, inadequate academic performance, or dropouts due to -feeling afraid in school is progressively decreased to zero; and

(4) Where those factors thought to contribute to accomplishing these outcomes are progressively developed and nurtured.

Standards for Safe Schools

Physical Environment Standards

Grounds and Buildings: Safe schools have...

- Well-maintained facilities, grounds, and perimeters
- Controlled access to the general property and each facility
- Signs that control access and direct visitors and school occupants
- Well-lighted and sighted accesses and traffic areas

Surveillance support: Safe schools have...

- Necessary built-in security/detection devices
- Staff prepared to monitor security devices and to respond to alarms or detection of security threats
- An adequate cadre of law enforcement officers, and trained staff and/or volunteers to patrol school property
- Essential communication technology for various users to support the monitoring and management of security

Policies and Procedures: Safe schools have...

- Policies that guide, direct and limit access to and movement about school property
- Policies and procedures that guide responses to security violations

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Social/Cultural Environment Standards

Expectations and Values: Safe schools have...

- Clearly stated and written expectations of behavior and conduct for all school participants
- Clearly stated and written consequences for inappropriate behavior and conduct for all school participants
- Established procedures for fair and consistent enforcement of policies and personnel prepared to implement such procedures

School Climate: Safe and effective schools...

- Operate on the basis of "Total Quality" concepts (i.e., meaningful involvement of *all* stakeholders)
- Promote mutual respect, acceptance and affiliation among- all stakeholders
- Create an environment that is free of threats and intimidation and is welcoming and inviting

Academic and Special Program Standards

Curriculum and Instruction: Safe and effective schools have...

- Instruction that is tailored to student needs and interests
- Curriculum goals, integrated curriculum, and instructional methods and programs that promote character education; effective social skills; problem solving and decision making; conflict resolution and anger management; and good citizenship

Alternative Education: Safe/effective schools have alternative learning programs that...

- Are effectively connected with the regular education and other external programs to and from which students can transition
- Reflect the curriculum and instruction standards identified for all schools

Extracurricular Programs: Safe and effective schools have programs that...

- Appeal to and involve all segments of the student body
- Extend and support the school's "Social/Cultural Environment Standards"

Parent and Community Involvement

Parental Support and Involvement: Safe and effective schools have...

- Effective communication between parents and educators
- Parents who participate in their child's school and his/her overall performance (e.g., academic and conduct)
- Shared responsibility between parents and the school for students' safety and positive involvement in school
- Effective educational programs for parents to support the above

Community Support and Involvement: Safe and effective schools...

- Establish lines of communication with all relevant community agencies/organizations (e.g., law enforcement, mental health, social services, public health and juvenile justice)
- Establish recreation and quality supervised care options within the community (such as YMCA, Municipal Recreation Centers, Boys and Girls Club) where children and youth can spend out-of-school hours in supervision and safety
- Access essential data bases and information on the health and welfare of the community that can be used to identify critical needs and plan related programs and interventions
- Participate and cooperate with relevant community agents toward collaborative strategic planning and policy and program development

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School Crime and Violence Incidence Report

ALL INCIDENTS INCLUDED ON THIS FORM MUST HAVE BEEN REPORTED TO LAW ENFORCEMENT OFFICIALS.

G.S. 115C-288(g) and the State Board of Education require principals to immediately report to law enforcement and to the school system's central office when he/she has a reasonable belief that any of the following fourteen acts of crime and violence have occurred on school property or at school-sponsored events.

- Assault on School Personnel Not Resulting in Serious Injury
- Assault Resulting in Serious Injury
- Assault Involving Use of a Weapon
- Homicide
- Kidnaping
- Possession of Controlled Substance in Violation of the Law
- Possession of a Firearm
- Possession of a Weapon
- Rape
- Robbery From the Person
- Robbery with a Dangerous Weapon (Armed Robbery)
- Sexual Assault
- Sexual Offense
- Taking Indecent Liberties with a Minor

Immediately reporting to law enforcement means without undue delay, and as soon as possible after the incident occurs. Reports to the school system's central office must be made on more than five days after the incident occurs. School property is defined as any public school building, bus, bus-stop, campus, grounds, recreational area, or athletic field under the charge of the principal. School-sponsored events includes athletic activities, field trips, school dances, band competitions, PTA meetings, etc. *Any acts committed by students, staff or outsiders on school property or school sponsored event must be reported, regardless of the age of the offender or the time the incident occurred.*

It is important that principals and school officials collaborate with their local law enforcement agency leaders to determine the best procedure for making the report. Local law enforcement officials should advise school officials on how calls will be handled by the local law enforcement agency, and on procedures that will be helpful to both agencies in responding to reports of crime and violence.

The central office will provide copies of each school's Annual Report on School Crime and Violence to the State Board of Education by June 30 of each year. The principal at each school will be responsible for assuring the accuracy and completeness of the report for the school.

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COMPLETING THE SCHOOL CRIME AND VIOLENCE REPORT

IDENTIFYING INFORMATION: In the spaces provided, the principal or his/he designee will list the name of the school, school code, grade levels in the school (e.g. PK-3, 6-8, ungraded alternative school), LEA name and code, name and telephone number of the person responsible for completing the report, name and telephone number of the person verifying the data (this could be the principal, assistant principal, SRO, or principal's designee), principal's signature, and date.

NUMBER OF INCIDENTS: In this column, record the total number of specified incidents committed by students, staff or others during the school year.

- An incident involving more than one student offender (e.g. five students assault one student) would be counted as one incident. The number of student offenders would be five, the number of victims would be one.

OFFENDERS: There are three categories of offenders: students (regular and special education) staff and others. Under the appropriate columns fill in the number of students (regular and special education), staff and others who have committed any of the 14 specified incidents.
"No. of student offenders in regular education" is the total number of students, excluding students classified as exceptional children, who are in regular education classes PK-12 and have committed a specified incident.
"No. of student offenders classified as exceptional children" is the total number of students classified as exceptional children who have committed a specified incident. Students classified as exceptional children would be listed under this category, even if they spend all or the majority of their school day in regular education classes.
"No. of staff offenders" is the total number of staff members, professional and non-licensed, who have committed a specified incident in each category of reportable crime.
"No. of other offenders" is the total number of non-students or non-staff members involved in a specified incident on school property.

VICTIMS: There are three categories of victims: students (regular and special education), staff and others. Under the appropriate columns fill in the number of students, staff and others who have been victims of any of the 14 specified incidents.
"Number of student victims" is the total number of regular or special education students who were directly affected or victimized by a specified incident. This does not include students who may have observed or have knowledge of the incident, but who were not directly affected or injured.
"Number of staff victims" is the total number of staff members who were directly affected or victimized by the specified incident. Staff members who observe, and/or intervene in an incident, but who were not threatened, or intentionally assaulted or injured would not be considered victims under this definition.

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"Number of other victims" is the total number of others who were directly affected or victimized by the specified incident. Bystanders who observe a specified incident, but were not involved, threatened, victimized, or intentionally assaulted or injured would not be considered victims.

Some incidents will not have student, staff or other victims associated with them. The category - Assault on School Personnel will not result in student victims; the category - Taking Indecent Liberties With a Minor will not have staff as victims; and, possession crimes - Possession of A Firearm, Possession of A Weapon, Possession of A Controlled Substance will not have identified victims.

CONSEQUENCES: List the consequences for each offender. School-based consequences for students include in-school suspension, out-of-school suspension 10 days or less, long-term suspension more than 10 days but less than one year, or long-term suspension one year, expulsion, and alternative placement/program. All other consequences will be coded as "other."

If two or more students are involved in an incident, the consequences for each student will be coded as a separate entry. For example, if three students are involved in a robbery and the consequences for each is long-term suspension of 10 days or more, the number of consequences listed under "long-term suspension, more than 10 days" would be three.

"Alternative placement/program" includes any program or service to which the student is assigned, either in- or out-of-school, which is designed to provide appropriate education, intervention and/or treatment based on the needs of the individual student. If a student is placed in more than one program or service, each placement will be coded separately, even if the placement, programs and/or services occur concurrently. For example, if a student is referred to an alternative education program and to a mental health center for counseling, a "1" would be recorded under Alternative Placement/Program, regardless of whether the student chose to attend the program, and a "1" would be recorded under Other.

NUMBER OF OFFENDERS REPORTED TO LAW ENFORCEMENT: In this column include all offenders (students, staff, and others) reported to law enforcement. The total of this column should equal the total number of offenders (students, staff and others.) If the offenders are unknown, the incident must be reported to law enforcement and to the school system's central office, and a notation of "unknown" (uk) made on the Annual Report on School Violence in the "Offenders" column.

STRATEGIES USED TO MAINTAIN SCHOOL SAFETY

Principals should reference their Safe Schools Plan for the 1997-98 school year to identify those strategies the school is or has been using to maintain safety and order. The strategies (e.g. conflict resolution and peer mediation programs, SROs, fences, lighting, traffic patterns, building alarm system, character education programs, etc.) should be listed on the form entitled -

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Strategies Used to Maintain School Safety. Strategies will be listed under two headings: Strategies Implemented Prior to 1997-98 School Year and Strategies Newly Implemented During 1997-98 School Year.

- The data will be used by DPI and the Center for the Prevention of School Violence as a baseline to identify those strategies most commonly used by schools around the state. It is important therefore that principals be as inclusive as possible when listing the strategies used in their school.

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DEFINITIONS

Assault on School Personnel - Not Resulting in Serious Injury. An assault is an intentional physical attack by one person on another. An assault may be the actual intentional striking of another person, or may be an attempt to physically strike another by an intentional show of force or menace of violence sufficient to put a reasonable person in fear of immediate physical injury.

- Victims included in this category are school administrator, professionals (e.g. teachers), classified staff member (e.g. custodial, clerical), and adult volunteers.
- This category is for assaults that do not result in apparent serious injury. If apparent serious injury to school personnel results from the assault, it should be reported under Assault Resulting in Serious Injury. If the attack or attempted attack involved use of a deadly weapon it should be reported as Assault Involving Use of a Weapon.
- Incidents which would not be included in this category are acts such as unintentional pushing and jostling, as in a crowd; school staff member who is accidentally struck while attempting to break up a fight or affray; volunteer who is knocked down by a student rushing through a door.
- Verbal threats to physically attack are ***not*** included unless they are accompanied by an act which is an intentional show of force or menace of violence sufficient to put a reasonable person in fear of immediate physical injury.

Assault Resulting in Serious Injury. An intentional physical attack causing the victim obvious severe or aggravated bodily injury involving broken bones, loss of teeth, possible internal injuries, severe lacerations, loss of consciousness, or the victim requires hospitalization as a result of the attack.

- Fights or affrays resulting in no apparent or less serious injuries would not be reported here, even if the incident resulted in consequences such as ISS for the student.

Assault Involving Use of a Weapon. An assault by one person against another where the attacker either uses a weapon or displays a weapon in a threatening manner. Weapons is defined as any firearm, projectile-expelling device, explosive device, force-impacting device, knife, sharp-edged or sharp-pointed utensil, device or tool, or any article, instrument or substance which is likely to produce death or great bodily harm.

Homicide. Homicide is the killing of a living human being. Acts to be reported under this category include murder, manslaughter, death by vehicle, killing in self-defense, and killing done by an insane person.

- Killing is to be reported if either the death or the act causing it occurred on school property, and regardless of whether the victim is associated with the school.
- Examples of incidents to be reported are accidental death of a child in a school bus accident, victim shot on school property by someone on or off school property intending to kill another, or insane person killing children on playground.

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Kidnapping. Confining, restraining or removing another person from one place to another, without the consent of the victim, or the consent of the victim's parents, for the purpose of committing a felony, holding a victim as a hostage for ransom, or for use as a shield.

- A parent taking a child in violation of a court order, although it may be a crime, is *not* kidnapping.

Possession of a Firearm. Possession is defined as storing or carrying, whether openly or concealed, locked or unlocked, operable or inoperable, any firearm on school property. Persons authorized to carry weapons on school property are law enforcement officers, firefighters, and emergency service personnel *when discharging their official duties.*

- The law requires a one-year suspension for any student who brings onto school property, any weapon categorized as a firearm or explosive device. Superintendents or local boards of education may, on a case-by-case basis, make exceptions to the law, but written documentation explaining the exception must be included with the school's Annual Report on School Violence.
- Federal firearm reporting requirements have resulted in the need for schools to identify the type of firearms present on school property. The type of firearm involved in an incident must be identified on the report form as either handgun, rifle, shotgun, or other.

Possession of a Controlled Substance in Violation of the Law. Possession of narcotic drugs on or in the immediate control of the person. Narcotic drugs includes any form or amount of cocaine, marijuana, heroin, LSD, methamphetamine, and all drugs listed in the North Carolina Controlled Substances Act.

- Unauthorized possession of a prescription drug (e.g. Ritalin) is a violation under this regulation.
- The principal should confer with law enforcement officials when in doubt as to whether a drug is a controlled substance.

Possession of a Weapon. Possessing on their person or within their custody or control, storing or carrying, by any unauthorized personnel, whether openly or concealed, a weapon, excluding firearms, defined as follows: any dynamite cartridge, bomb, grenade, mine, or powerful explosive, any BB gun, stun gun, air rifle, air pistol, bowie knife, dirk, dagger, slingshot, leaded cane, switchblade knife, blackjack, metallic knuckles, razors and razor blades, or any sharp pointed or edged instrument.

- This category covers possession of all weapons, other than firearms, which the law prohibits on educational property. (N.C.G.S. 14-269.2) Persons authorized to possess such weapons are law enforcement officers, firefighters and emergency service personnel *when discharging their official duties.*

Rape. Rape may be forcible or statutory. Forcible rape is vaginal intercourse by force and against the will of the victim, regardless of age. Statutory rape is vaginal intercourse committed on a child under the age of 16 by a person who is at least 12 years old and at least 4 years older than the victim, regardless of whether the victim consented. Statutory rape is also vaginal

intercourse committed on a person who is mentally handicapped or incapacitated, or physically helpless, regardless of whether the victim consented.

- Some examples of incidents which must be reported under this category are consensual intercourse between a 19-year old and a 15-year old, consensual sexual intercourse involving a mentally retarded victim, or intercourse with an intoxicated or drugged victim who is incapacitated to give consent.
- Consensual vaginal intercourse between a 13, 14 or 15-year old girl and a 16 year old boy is not a crime; statutory rape requires at least four years between birthdays of the parties.

Robbery From the Person. The taking or attempting to take anything of value from another's person, by force, or by an act threatening force or violence, which puts a victim in fear, without the use of a weapon.

- The theft of stealing of someone's property from a source other than the victim's person is not included in this category.
- If the theft involves use of a dangerous weapon the incident is reported under Robbery with a Dangerous Weapon (Armed Robbery.)

Robbery With a Dangerous Weapon (Armed Robbery). Theft or attempted theft of anything of value from the person of another or from the area under the immediate bodily control of the other by using a dangerous weapon or by an act threatening use of a dangerous weapon. Dangerous weapon is defined as any article, instrument or substance which is likely to produce death or great bodily harm.

- Forcible theft or attempted theft from a person without the use of a dangerous weapon should be listed under the category Robbery from the Person.

Sexual Assault. An assault of a sexual nature. An unauthorized and unwanted intentional forcible touching of a sex organ of a person of the opposite sex.

- Sex organs are the breast of females and the genital areas of the male and females.
- Forcibly and intentionally grabbing the clothed or unclothed breast or genitals of a person of the opposite sex, without the consent of the victim, would be reported under this category.
- Sexual assault also includes attempted rape and attempted sexual offense.

Sexual Offense. Sexual offense may be forcible or statutory. Forcible sexual offense is an actual oral-genital contact, or penile-anal penetration, or insertion of any object, including a finger, into the genital or anal opening of another person's body, committed by force and without the consent of the victim. Statutory sexual offense is any of the above acts committed on a child under the age of 16 by a person who is at least 12 years old and at least 4 years older than the victim, regardless of whether the victim consented. Statutory sexual offense is also any of the above acts committed on a person who is mentally handicapped or incapacitated or physically helpless, regardless of whether the victim consented.

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- The difference between rape and sexual offense is that rape involves vaginal intercourse only and sexual offense involves oral-genital contact, penile-anal penetration, or genital or anal penetration by an object.

Taking Indecent Liberties With a Minor. Committing a sexual act with or in the presence of a child under the age of 16 years, by a person who is a least age 16 and at least 5 years older than the child, for sexual gratification, regardless of whether force was used or the victim consented.

- Examples of acts to be reported under this category are intentional exposure of genitals in front of a child, showing a child pornography, secretly or in the child's presence photographing boys or girls changing clothes or using toilets, if these acts are done for sexual gratification.
- This category also includes any sexual touching of a victim or making a victim touch a sex organ of the perpetrator. Penetration of the sex organ is not required.

PART 1. CONTROLLED SUBSTANCES

The following are examples of the drugs listed under the different schedules of the Controlled Substances Act (G.S. Ch. 90, Art. 5):

Schedule I (G.S. 90-89)
Heroin (and other specified opium derivatives)
Lysergic acid diethylamide (LSD)
Mescaline
Methaqualone
3, 4-methylenedioxyamphetamine (MDA)
Peyote

Schedule II (G.S. 90-90)
Amphetamine (Dexedrine)
Cocaine
Coca leaves
Codeine
Methadone (Dolophine)
Methamphetamine (Desoxyn)
Methylphenidate (Ritalin)
Morphine
Opium
Pentobarbital (Nembutal) (see also III, below)
Phencyclidine (PCP)
Phenmetrazine (Preludin)
Secobarbital (Seconal) (see also III, below)

Schedule III (G.S. 90-91
Anabolic steroids
Methyprylon (Noludar)
Pentobarbital in suppository dosage form
Secobarbital in suppository dosage form

Schedule IV (G.S. 90-92)
Barbital
Chloral hydrate (Noctec)
Chlordiazepoxide (Librium)
Diazepam (Valium)
Ethclorvynol (Placidyl)
Meprobamate (Miltown, Equaril)
Methohexital (Brevital)
Phenobarbital

C9

Schedule V (G.S. 90-93)
Includes compounds containing mixtures of certain narcotic drugs with other, nonnarcotic, medicinal ingredients to give the compound valuable medicinal qualities. For example, it includes a compound with not more than 200 milligrams of codeine per 100 milliliters or per 100 grams, or a compound with not more than 100 milligrams of opium per 100 milliliters or per 100 grams.

Schedule VI (G.S. 90-93)
Marijuana
Tetrahydrocannabinols

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ISSUES RELATED TO COMPLETION OF SCHOOL CRIME AND VIOLENCE REPORT

The law requires that all fourteen listed incidents be immediately reported to local law enforcement officials. Local law enforcement is defined as the municipal police department if the school property on which the crime occurred is located in a town or city limits, or the Sheriff's Department if the crime did not occur in a town or city limits. The reporting requirement applies to acts by students, staff and others, as long as the incident occurs on school property. The report must be made without regard to the age of the offender or the victim. Local law enforcement can assist the principal in determining the appropriate agency to receive the report.

- If the act occurs on a school bus, the act shall be reported to law enforcement of the city or county where the bus was physically located when the act occurred.
- If a reportable incident involves students from another school, the school on whose property the incident occurred, or which sponsored or hosted the event associated with the incident, shall report the incident and shall include the incident on their annual violence report.

The principal shall not attempt to determine if an arrest should be made, or whether sufficient evidence exists to try the offender in court. These decisions are the responsibility of local law enforcement officials. The principal or school board shall institute procedures to insure that teachers and staff immediately report incidents to the principal or his/her designee. New legislation passed in 1997 requires teachers, student teachers, substitute teachers, voluntary teachers, and teacher assistants to report acts of violence to principals. The principal shall make the report to law enforcement and designate a person who shall report to law enforcement in the principal's absence.

Incidents in which a teacher or school administrator attempts to restrain an out-of-control student and is struck by the student may not be an assault. Incidents in which the teacher or school administrator was clearly an unintended victim may not result in the incident being regarded as an Assault on School Personnel. Unintentional contact with/by the student is not regarded as an assault.

Possession of a pocket knife is considered an incident under the category "Possession of A Weapon." Principals, especially at the elementary level, may encounter small pocket knives in the possession of their students, particularly in rural and farming areas. The question has arisen as to whether or not these seemingly minor incidents must be reported to law enforcement. For the present, the answer is unequivocally yes. Law enforcement may consider the incident trivial and determine that no legal action is needed. This does not relieve the principal of the responsibility to report the incident in a timely and appropriate manner. It would be inappropriate for a principal to simply collect and store the knives and turn them over to law enforcement as time permits.

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Revised 2/98

School officials are strongly encouraged to develop an open line of communication with their local law enforcement agency. This agency will help schools interpret, as well as being the final authority in puzzling or confusing incidents of crime and violence involving students. Principals are advised to keep the School Resource Officer fully informed of all acts of disruptive behavior, crime and violence occurring on school property and to involve the SROs in the development and implementation of the safe school plan. They should facilitate SROs becoming an integral part of the school community, as well as being part of the overall efforts to plan for and implement a comprehensive approach to safety and order in the school.

Only those incidents that occur on school property or during school-sponsored activities (e.g. field trips, sporting events, extra curricular activities) are to be reported. Incidents occurring during non-school sponsored programs (e.g. evening adult education) or during programs not under the direct responsibility of the school principal and staff must be reported if the crime involves students as offenders or victims, and/or the crime results in damage to the security of the school (e.g. broken fences or entries) that potentially jeopardizes the safety and security of occupants of the school during normal operating hours.

Completing all sections of the report form. Principals must provide all of the information requested on the Annual Report on School Crime and Violence, including strategies used to maintain school safety. If no reportable incidents occurred on school property or at school sponsored events during the 1997-98 school year, a zero (0) should be placed in the Total Incidents column.

School Report

1997-98 REPORT ON SCHOOL CRIME AND VIOLENCE

Name of School _____ School Code _____ Grades In School _____

LEA Name _____ LEA Code _____

Name of Person (s) Completing Report _____ Phone No. (___) _____

Name of Person Responsible for Verification of Data _____ Phone No. (___) _____

Principal's Signature _____ Date _____

INCIDENTS REPORT: All incidents included on this form must have been reported to law enforcement	Total No. of Incidents	Offenders				Victims			Consequences							
		No. of student offenders in regular education	No. of student offenders classified as exceptional children	No. of staff offenders	No. of other offenders	No. of student victims	No. of staff victims	No. of other victims	In-school suspension	Alternative placement/ program	Out-of-school suspension 10 days or less	Out-of-school suspension more than 10 days but less than 1 year	Suspension 300-365 days	Expulsion	Other	No. of offenders reported to law enforcement
Assault on School Personnel (Not Resulting in Serious Injury)																
Assault Resulting in Serious Injury																
Assault Involving Use of a Weapon																
Homicide																
Kidnapping																
Possession of Firearm HG=Handgun R=Rifle SG=Shotgun O=Other *Include number of each type firearm*	HG ____ R ____ SG ____ O ____															
Possession of Controlled Substance in Violation of Law																
Possession of a Weapon																
Rape																
Robbery																
Robbery with a Dangerous Weapon																
Sexual Assault																
Sexual Offense																
Taking Indecent Liberties with a Minor																
TOTALS:																

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STRATEGIES USED TO MAINTAIN SCHOOL SAFETY

Principals should refer to their Safe School Plan for the 1997-98 school year to identify those strategies the school is or has been using to maintain school safety and order.

Strategies Implemented Prior to the 1997-98 School Year:

Strategies Newly Implemented During the 1997-98 School Year:

(Continue on back of form)